

107TH CONGRESS
1ST SESSION

S. 1418

AN ACT

To authorize appropriations for fiscal year 2002 for military construction, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Military Construction
5 Authorization Act for Fiscal Year 2002”.

1 **SEC. 2. TABLE OF CONTENTS.**

2 The table of contents for this Act is as follows:

- Sec. 1. Short title.
- Sec. 2. Table of contents.
- Sec. 3. Congressional defense committees defined.

TITLE XXI—ARMY

- Sec. 2101. Authorized Army construction and land acquisition projects.
- Sec. 2102. Family housing.
- Sec. 2103. Improvements to military family housing units.
- Sec. 2104. Authorization of appropriations, Army.
- Sec. 2105. Modification of authority to carry out certain fiscal year 2001 projects.

TITLE XXII—NAVY

- Sec. 2201. Authorized Navy construction and land acquisition projects.
- Sec. 2202. Family housing.
- Sec. 2203. Improvements to military family housing units.
- Sec. 2204. Authorization of appropriations, Navy.
- Sec. 2205. Modification of authority to carry out certain fiscal year 2001 projects.
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TITLE XXIII—AIR FORCE

- Sec. 2301. Authorized Air Force construction and land acquisition projects.
- Sec. 2302. Family housing.
- Sec. 2303. Improvements to military family housing units.
- Sec. 2304. Authorization of appropriations, Air Force.
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TITLE XXIV—DEFENSE AGENCIES

- Sec. 2401. Authorized Defense Agencies construction and land acquisition projects.
- Sec. 2402. Energy conservation projects.
- Sec. 2403. Authorization of appropriations, Defense Agencies.
- Sec. 2404. Cancellation of authority to carry out certain fiscal year 2001 projects.
- Sec. 2405. Cancellation of authority to carry out additional fiscal year 2001 project.
- Sec. 2406. Modification of authority to carry out certain fiscal year 2000 projects.
- Sec. 2407. Modification of authority to carry out certain fiscal year 1999 project.
- Sec. 2408. Modification of authority to carry out certain fiscal year 1995 project.

TITLE XXV—NORTH ATLANTIC TREATY ORGANIZATION SECURITY INVESTMENT PROGRAM

- Sec. 2501. Authorized NATO construction and land acquisition projects.

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TITLE XXVI—GUARD AND RESERVE FORCES FACILITIES

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Subtitle A—Military Construction Program and Military Family Housing Changes

Sec. 2801. Increase in thresholds for certain unspecified minor military construction projects.

Sec. 2802. Unforeseen environmental hazard remediation as basis for authorized cost variations for military construction and family housing construction projects.

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Sec. 2805. Funds for housing allowances of members assigned to military family housing under alternative authority for acquisition and improvement of military housing.

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- Sec. 2826. Land conveyance, Naval Weapons Industrial Reserve Plant, Toledo, Ohio.
- Sec. 2827. Modification of land conveyance, Mukilteo Tank Farm, Everett, Washington.
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TITLE XXIX—DEFENSE BASE CLOSURE AND REALIGNMENT

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- Sec. 2901. Authority to carry out base closure round in 2003.
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- Sec. 2904. Technical and clarifying amendments.

Subtitle B—Modification of 1988 Base Closure Law

- Sec. 2911. Payment for certain services provided by redevelopment authorities for property leased back by the United States.

1 SEC. 3. CONGRESSIONAL DEFENSE COMMITTEES DEFINED.

2 For purposes of this Act, the term “congressional de-
3 fense committees” means—

- 4 (1) the Committee on Armed Services and the
5 Committee on Appropriations of the Senate; and
- 6 (2) the Committee on Armed Services and the
7 Committee on Appropriations of the House of Rep-
8 resentatives.

TITLE XXI—ARMY

SEC. 2101. AUTHORIZED ARMY CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2104(a)(1), the Secretary of the Army may acquire real property and carry out military construction projects for the installations and locations inside the United States, and in the amounts, set forth in the following table:

Army: Inside the United States

State	Installation or location	Amount
Alabama	Anniston Army Depot	\$5,150,000
	Fort Rucker	\$11,400,000
	Redstone Arsenal	\$7,200,000
Alaska	Fort Richardson	\$115,000,000
	Fort Wainwright	\$27,200,000
Arizona	Fort Huachuca	\$6,100,000
Colorado	Fort Carson	\$66,000,000
District of Columbia	Fort McNair	\$11,600,000
Georgia	Fort Benning	\$23,900,000
	Fort Gillem	\$34,600,000
	Fort Gordon	\$34,000,000
	Fort Stewart/Hunter Army Air Field.	\$39,800,000
Hawaii	Navy Public Works Center, Pearl Harbor.	\$11,800,000
	Pohakuloa Training Facility	\$6,600,000
	Wheeler Army Air Field	\$50,000,000
Illinois	Rock Island Arsenal	\$3,500,000
Kansas	Fort Riley	\$10,900,000
Kentucky	Fort Campbell	\$88,900,000
	Fort Knox	\$11,600,000
Louisiana	Fort Polk	\$21,200,000
Maryland	Aberdeen Proving Ground	\$58,300,000
	Fort Meade	\$5,800,000
Missouri	Fort Leonard Wood	\$7,850,000
New Jersey	Fort Monmouth	\$20,000,000
New Mexico	White Sands Missile Range	\$7,600,000
New York	Fort Drum	\$37,850,000
North Carolina	Fort Bragg	\$21,300,000
	Sunny Point Military Ocean Terminal.	\$11,400,000
Oklahoma	Fort Sill	\$40,100,000
South Carolina	Fort Jackson	\$62,000,000
Texas	Fort Hood	\$86,200,000
	Fort Sam Houston	\$2,250,000
Virginia	Fort Belvoir	\$35,950,000
	Fort Eustis	\$34,650,000

Army: Inside the United States—Continued

State	Installation or location	Amount
Washington	Fort Lee	\$23,900,000
	Fort Lewis	\$238,200,000
	Total:	\$1,279,500,000

1 (b) OUTSIDE THE UNITED STATES.—Using amounts
2 appropriated pursuant to the authorization of appropria-
3 tions in section 2104(a)(2), the Secretary of the Army
4 may acquire real property and carry out military construc-
5 tion projects for the locations outside the United States,
6 and in the amounts, set forth in the following table:

Army: Outside the United States

Country	Installation or location	Amount
Germany	Area Support Group, Bamberg	\$36,000,000
	Area Support Group, Darmstadt	\$13,500,000
	Baumholder	\$9,000,000
	Hanau	\$7,200,000
	Heidelberg	\$15,300,000
	Mannheim	\$16,000,000
	Wiesbaden Air Base	\$26,300,000
Korea	Camp Carroll	\$16,593,000
	Camp Casey	\$8,500,000
	Camp Hovey	\$35,750,000
	Camp Humphreys	\$14,500,000
	Camp Jackson	\$6,100,000
	Camp Stanley	\$28,000,000
	Kwajalein Atoll	\$11,000,000
Kwajalein	Total:	\$243,743,000

7 (c) UNSPECIFIED WORLDWIDE.—Using amounts ap-
8 propriated pursuant to the authorization of appropriations
9 in section 2104(a)(3), the Secretary of the Army may ac-
10 quire real property and carry out military construction
11 projects for the installation and location, and in the
12 amount, set forth in the following table:

Army: Unspecified Worldwide

Location	Installation	Amount
Unspecified Worldwide	Classified Location	\$4,000,000

1 SEC. 2102. FAMILY HOUSING.

2 (a) CONSTRUCTION AND ACQUISITION.—Using
3 amounts appropriated pursuant to the authorization of ap-
4 propriations in section 2104(a)(6)(A), the Secretary of the
5 Army may construct or acquire family housing units (in-
6 cluding land acquisition) at the installations, for the pur-
7 poses, and in the amounts set forth in the following table:

Army: Family Housing

State or county	Installation or loca- tion	Purpose	Amount
Alaska	Fort Wainwright	32 Units	\$12,000,000
Arizona	Fort Huachuca	72 Units	\$10,800,000
Kansas	Fort Leavenworth	40 Units	\$20,000,000
Texas	Fort Bliss	76 Units	\$13,600,000
	Fort Sam Houston	80 Units	\$11,200,000
Korea	Camp Humphreys	54 Units	\$12,800,000
	Total:	\$80,400,000

8 (b) PLANNING AND DESIGN.—Using amounts appro-
9 priated pursuant to the authorization of appropriations in
10 section 2104(a)(6)(A), the Secretary of the Army may
11 carry out architectural and engineering services and con-
12 struction design activities with respect to the construction
13 or improvement of family housing units in an amount not
14 to exceed \$12,702,000.

15 **SEC. 2103. IMPROVEMENTS TO MILITARY FAMILY HOUSING**
16 **UNITS.**

17 Subject to section 2825 of title 10, United States
18 Code, and using amounts appropriated pursuant to the

1 authorization of appropriations in section 2104(a)(6)(A),
2 the Secretary of the Army may improve existing military
3 family housing units in an amount not to exceed
4 \$220,750,000.

5 **SEC. 2104. AUTHORIZATION OF APPROPRIATIONS, ARMY.**

6 (a) IN GENERAL.—Funds are hereby authorized to
7 be appropriated for fiscal years beginning after September
8 30, 2001, for military construction, land acquisition, and
9 military family housing functions of the Department of the
10 Army in the total amount of \$3,068,303,000, as follows:

11 (1) For military construction projects inside the
12 United States authorized by section 2101(a),
13 \$1,027,300,000.

14 (2) For military construction projects outside
15 the United States authorized by section 2101(b),
16 \$243,743,000.

17 (3) For military construction projects at un-
18 specified worldwide locations authorized by section
19 2101(c), \$4,000,000.

20 (4) For unspecified minor construction projects
21 authorized by section 2805 of title 10, United States
22 Code, \$18,000,000.

23 (5) For architectural and engineering services
24 and construction design under section 2807 of title
25 10, United States Code, \$142,198,000.

1 (6) For military family housing functions:

2 (A) For construction and acquisition, plan-
3 ning and design, and improvement of military
4 family housing and facilities, \$313,852,000.

5 (B) For support of military family housing
6 (including the functions described in section
7 2833 of title 10, United States Code),
8 \$1,108,991,000.

9 (7) For the Homeowners Assistance Program,
10 as authorized by section 2832 of title 10, United
11 States Code, \$10,119,000, to remain available until
12 expended.

13 (8) For the construction of the Cadet Develop-
14 ment Center, United States Military Academy, West
15 Point, New York, authorized in section 2101(a) of
16 the Military Construction Authorization Act for Fis-
17 cal Year 1999 (division B of Public Law 105–261;
18 112 Stat. 2182), \$37,900,000.

19 (9) For the construction of a Barracks Com-
20 plex—Tagaytay Street Phase 2C, Fort Bragg, North
21 Carolina, authorized in section 2101(a) of the Mili-
22 tary Construction Authorization Act for Fiscal Year
23 2000 (division B of Public Law 106–65; 113 Stat.
24 824), \$17,500,000.

1 (10) For the construction of a Barracks Com-
2 plex—Wilson Street, Phase 1C, Schofield Barracks,
3 Hawaii, authorized in section 2101(a) of the Mili-
4 tary Construction Authorization Act for Fiscal Year
5 2000 (113 Stat. 824), \$23,000,000.

6 (11) For construction of a Basic Combat Train-
7 ing Complex Phase 2, Fort Leonard Wood, Missouri,
8 authorized in section 2101(a) of the Military Con-
9 struction Authorization Act for Fiscal Year 2001
10 (division B of the Floyd D. Spence National Defense
11 Authorization Act for Fiscal Year 2001 (as enacted
12 by Public Law 106–398); 114 Stat. 1654A–389),
13 \$27,000,000.

14 (12) For the construction of the Battle Simula-
15 tion Center Phase 2, Fort Drum, New York, author-
16 ized in section 2101(a) of the Military Construction
17 Authorization Act for Fiscal Year 2001 (114 Stat.
18 1654A–389), \$9,000,000.

19 (13) For the construction of a Barracks Com-
20 plex—Bunter Road Phase 2, Fort Bragg, North
21 Carolina, authorized in section 2101(a) of the Mili-
22 tary Construction Authorization Act for Fiscal Year
23 2001 (114 Stat. 1654A–389), \$49,000,000.

24 (14) For the construction of a Barracks Com-
25 plex—Longstreet Road Phase 2, Fort Bragg, North

1 Carolina, authorized in section 2101(a) of the Mili-
2 tary Construction Authorization Act for Fiscal Year
3 2001 (114 Stat. 1654A–389), \$27,000,000.

4 (15) For the construction of a Multipurpose
5 Digital Training Range, Fort Hood, Texas, author-
6 ized in section 2101(a) of the Military Construction
7 Authorization Act for Fiscal Year 2001 (114 Stat.
8 1654A–389), \$13,000,000.

9 (b) LIMITATION ON TOTAL COST OF CONSTRUCTION
10 PROJECTS.—Notwithstanding the cost variations author-
11 ized by section 2853 of title 10, United States Code, and
12 any other cost variation authorized by law, the total cost
13 of all projects carried out under section 2101 of this Act
14 may not exceed—

15 (1) the total amount authorized to be appro-
16 priated under paragraphs (1), (2), and (3) of sub-
17 section (a);

18 (2) \$52,000,000 (the balance of the amount au-
19 thorized under section 2101(a) for Barracks Com-
20 plex D Street Phase at Fort Richardson, Alaska);

21 (3) \$41,000,000 (the balance of the amount au-
22 thorized under section 2101(a) for Barracks Com-
23 plex—Nelson Boulevard (Phase I) at Fort Carson,
24 Colorado);

(5) \$102,000,000 (the balance of the amount authorized under section 2101(a) for Barracks Complex—17th & B Street (Phase I) at Fort Lewis, Washington); and

9 (6) \$21,500,000 (the balance of the amount au-
10 thorized under section 2101(a) for Consolidated Lo-
11 gistics Complex (Phase I) at Fort Sill, Oklahoma).

(c) ADJUSTMENT.—The total amount authorized to be appropriated pursuant to paragraphs (1) through (7) of subsection (a) is the sum of the amounts authorized to be appropriated in such paragraphs reduced by \$3,300,000, which represents savings resulting from adjustments to foreign currency exchange rates for military family housing construction and military family housing support outside the United States.

20 SEC. 2105. MODIFICATION OF AUTHORITY TO CARRY OUT
21 CERTAIN FISCAL YEAR 2001 PROJECTS.

(a) MODIFICATION.—The table in section 2101(a) of the Military Construction Authorization Act for Fiscal Year 2001 (division B of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as en-

1 acted by Public Law 106–398); 114 Stat. 1654A–389) is
 2 amended—

3 (1) in the item relating to Fort Leonard Wood,
 4 Missouri, by striking “\$65,400,000” in the amount
 5 column and inserting “\$69,800,000”;

6 (2) in the item relating to Fort Drum, New
 7 York, by striking “\$18,000,000” in the amount col-
 8 umn and inserting “\$21,000,000”;

9 (3) in the item relating to Fort Hood, Texas,
 10 by striking “\$36,492,000” in the amount column
 11 and inserting “\$39,492,000”; and

12 (4) by striking the amount identified as the
 13 total in the amount column and inserting
 14 “\$626,374,000”.

15 (b) CONFORMING AMENDMENTS.—Section 2104 of
 16 that Act (114 Stat. 1654A–391) is amended—

17 (1) in subsection (a), in the matter preceding
 18 paragraph (1), by striking “\$1,925,344,000” and in-
 19 serting “\$1,935,744,000”; and

20 (2) in subsection (b)—

21 (A) in paragraph (2), by striking
 22 “\$22,600,000” and inserting “\$27,000,000”;

23 (B) in paragraph (3), by striking
 24 “\$10,000,000” and inserting “\$13,000,000”;

25 and

(C) in paragraph (6), by striking
 “\$6,000,000” and inserting “\$9,000,000”.

TITLE XXII—NAVY

SEC. 2201. AUTHORIZED NAVY CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2204(a)(1), the Secretary of the Navy may acquire real property and carry out military construction projects for the installations and locations inside the United States, and in the amounts, set forth in the following table:

Navy: Inside the United States

State	Installation or location	Amount
Arizona	Marine Corps Air Station, Yuma	\$22,570,000
California	Marine Air-Ground Task Force Training Center, Twentynine Palms.	\$75,125,000
	Marine Corps Air Station, Camp Pendleton.	\$4,470,000
	Marine Corps Base, Camp Pendleton	\$96,490,000
	Naval Air Facility, El Centro	\$23,520,000
	Naval Air Station, Lemoore	\$10,010,000
	Naval Air Warfare Center, Point Mugu, San Nicholas Island.	\$13,730,000
	Naval Amphibious Base, Coronado	\$8,610,000
	Naval Construction Battalion Center, Port Hueneme.	\$12,400,000
	Naval Construction Training Center, Port Hueneme.	\$3,780,000
	Naval Station, San Diego	\$47,240,000
District of Columbia	Naval Air Facility, Washington	\$9,810,000
Florida	Naval Air Station, Key West	\$11,400,000
	Naval Air Station, Pensacola	\$3,700,000
	Naval Air Station, Whiting Field, Milton	\$2,140,000
	Naval Station, Mayport	\$16,420,000
Hawaii	Marine Corps Base, Kaneohe	\$24,920,000
	Naval Magazine, Lualualei	\$6,000,000
	Naval Shipyard, Pearl Harbor	\$20,000,000
	Naval Station, Pearl Harbor	\$54,700,000
	Navy Public Works Center, Pearl Harbor.	\$16,900,000
Illinois	Naval Training Center, Great Lakes	\$82,260,000
Indiana	Naval Surface Warfare Center, Crane	\$5,820,000
Maine	Naval Air Station, Brunswick	\$67,395,000
	Naval Shipyard, Kittery-Portsmouth	\$14,620,000

Navy: Inside the United States—Continued

State	Installation or location	Amount
Maryland	Naval Air Warfare Center, Patuxent River.	\$2,260,000
	Naval Explosive Ordnance Disposal Technology Center, Indian Head.	\$1,250,000
Mississippi	Naval Construction Battalion Center, Gulfport.	\$21,660,000
	Naval Air Station, Meridian	\$3,370,000
	Naval Station, Pascagoula	\$4,680,000
Missouri	Marine Corp Support Activity, Kansas City.	\$9,010,000
Nevada	Naval Air Station, Fallon	\$6,150,000
New Jersey	Naval Weapons Station, Earle	\$4,370,000
North Carolina	Marine Corps Air Station, New River	\$4,050,000
	Marine Corps Base, Camp LeJeune	\$67,070,000
Rhode Island	Naval Station, Newport	\$15,290,000
	Naval Undersea Warfare Center, Newport.	\$9,370,000
South Carolina	Marine Corps Air Station, Beaufort	\$8,020,000
	Marine Corps Recruit Depot, Parris Island.	\$5,430,000
Tennessee	Naval Support Activity, Millington	\$3,900,000
Texas	Naval Air Station, Kingsville	\$6,160,000
Virginia	Marine Corps Air Facility, Quantico	\$3,790,000
	Marine Corps Combat Development Command, Quantico.	\$9,390,000
Washington	Naval Station, Norfolk	\$139,270,000
	Naval Air Station, Whidbey Island	\$7,370,000
	Naval Station, Everett	\$6,820,000
	Strategic Weapons Facility, Bangor	\$3,900,000
Total:		\$996,610,000

1 (b) OUTSIDE THE UNITED STATES.—Using amounts
2 appropriated pursuant to the authorization of appropria-
3 tions in section 2204(a)(2), the Secretary of the Navy may
4 acquire real property and carry out military construction
5 projects for the locations outside the United States, and
6 in the amounts, set forth in the following table:

Navy: Outside the United States

Country	Installation or location	Amount
Greece	Naval Support Activity Joint Headquarters Command, Larissa.	\$12,240,000
	Naval Support Activity, Souda Bay	\$3,210,000
Guam	Naval Station, Guam	\$9,300,000
	Navy Public Works Center, Guam	\$14,800,000
Iceland	Naval Air Station, Keflavik	\$2,820,000
Italy	Naval Air Station, Sigonella	\$3,060,000
Spain	Naval Station, Rota	\$2,240,000
Total:		\$47,670,000

1 **SEC. 2202. FAMILY HOUSING.**

2 (a) CONSTRUCTION AND ACQUISITION.—Using
 3 amounts appropriated pursuant to the authorization of ap-
 4 propriations in section 2204(a)(5)(A), the Secretary of the
 5 Navy may construct or acquire family housing units (in-
 6 cluding land acquisition) at the installations, for the pur-
 7 poses, and in the amounts set forth in the following table:

Navy: Family Housing

State or country	Installation or loca- tion	Purpose	Amount
Arizona	Marine Corps Air Sta- tion, Yuma.	51 Units	\$9,017,000
California	Marine Air-Ground Task Force Training Center, Twentynine Palms.	74 Units	\$16,250,000
Hawaii	Marine Corps Base, Kaneohe.	172 Units	\$55,187,000
	Naval Station, Pearl Harbor.	70 Units	\$16,827,000
Mississippi	Naval Construction Battalion Center, Gulfport.	160 Units	\$23,354,000
Italy	Naval Air Station, Sigonella.	10 Units	\$2,403,000
		Total:	\$123,038,000

8 (b) PLANNING AND DESIGN.—Using amounts appro-
 9 priated pursuant to the authorization of appropriations in
 10 section 2204(a)(5)(A), the Secretary of the Navy may
 11 carry out architectural and engineering services and con-
 12 struction design activities with respect to the construction
 13 or improvement of military family housing units in an
 14 amount not to exceed \$6,499,000.

1 **SEC. 2203. IMPROVEMENTS TO MILITARY FAMILY HOUSING**
2 **UNITS.**

3 Subject to section 2825 of title 10, United States
4 Code, and using amounts appropriated pursuant to the
5 authorization of appropriations in section 2204(a)(5)(A),
6 the Secretary of the Navy may improve existing military
7 family housing units in an amount not to exceed
8 \$183,054,000.

9 **SEC. 2204. AUTHORIZATION OF APPROPRIATIONS, NAVY.**

10 (a) IN GENERAL.—Funds are hereby authorized to
11 be appropriated for fiscal years beginning after September
12 30, 2001, for military construction, land acquisition, and
13 military family housing functions of the Department of the
14 Navy in the total amount of \$2,377,634,000, as follows:

15 (1) For military construction projects inside the
16 United States authorized by section 2201(a),
17 \$963,370,000.

18 (2) For military construction projects outside
19 the United States authorized by section 2201(b),
20 \$47,670,000.

21 (3) For unspecified minor construction projects
22 authorized by section 2805 of title 10, United States
23 Code, \$10,546,000.

24 (4) For architectural and engineering services
25 and construction design under section 2807 of title
26 10, United States Code, \$35,752,000.

1 (5) For military family housing functions:

2 (A) For construction and acquisition, plan-
3 ning and design, and improvement of military
4 family housing and facilities, \$312,591,000.

5 (B) For support of military family housing
6 (including functions described in section 2833
7 of title 10, United States Code), \$918,095,000.

8 (6) For replacement of a pier at Naval Station,
9 San Diego, California, authorized in section 2201(a)
10 of the Military Construction Authorization Act for
11 Fiscal Year 2001 (division B of the Floyd D. Spence
12 National Defense Authorization Act for Fiscal Year
13 2001 (as enacted by Public Law 106–398); 114
14 Stat. 1654A–395), \$17,500,000.

15 (7) For replacement of Pier Delta at Naval
16 Station, Bremerton, Washington, authorized in sec-
17 tion 2201(a) of the Military Construction Authoriza-
18 tion Act for Fiscal Year 2001, \$24,460,000.

19 (8) For construction of the Commander-in-
20 Chief Headquarters, Pacific Command, Camp
21 Smith, Hawaii, authorized in section 2201(a) of the
22 Military Construction Authorization Act for Fiscal
23 Year 2000 (division B of Public Law 106–65; 113
24 Stat. 828), \$37,580,000.

1 (9) For construction of an Advanced Systems
2 Integration Facility, phase 6, at Naval Air Warfare
3 Center, Patuxent River, Maryland, authorized in sec-
4 tion 2201(a) of the Military Construction Authoriza-
5 tion Act for Fiscal Year 1993 (division B of Public
6 Law 102–484; 106 Stat. 2590), \$10,770,000.

7 (b) LIMITATION ON TOTAL COST OF CONSTRUCTION
8 PROJECTS.—Notwithstanding the cost variations author-
9 ized by section 2853 of title 10, United States Code, and
10 any other cost variation authorized by law, the total cost
11 of all projects carried out under section 2201 of this Act
12 may not exceed—

13 (1) the total amount authorized to be appro-
14 priated under paragraphs (1) and (2) of subsection
15 (a); and

16 (2) \$33,240,000 (the balance of the amount au-
17 thorized under section 2201(a) for Pier Replacement
18 (Increment I), Naval Station, Norfolk, Virginia).

19 (c) ADJUSTMENT.—The total amount authorized to
20 be appropriated pursuant to paragraphs (1) through (5)
21 of subsection (a) is the sum of the amounts authorized
22 to be appropriated in such paragraphs reduced by
23 \$700,000, which represents savings resulting from adjust-
24 ments to foreign currency exchange rates for military fam-

1 ily housing construction and military family housing sup-
 2 port outside the United States.

3 **SEC. 2205. MODIFICATION OF AUTHORITY TO CARRY OUT**
 4 **CERTAIN FISCAL YEAR 2001 PROJECTS.**

5 The table in section 2201(a) of the Military Construc-
 6 tion Authorization Act for Fiscal Year 2001 (division B
 7 of the Floyd D. Spence National Defense Authorization
 8 Act for Fiscal Year 2001 (as enacted by Public Law 106–
 9 398); 114 Stat. 1654A–395) is amended—

10 (1) in the item relating to Naval Shipyard,
 11 Bremerton, Puget Sound, Washington, by striking
 12 “\$100,740,000” in the amount column and inserting
 13 “\$98,740,000”;

14 (2) in the item relating to Naval Station, Brem-
 15 erton, Washington, by striking “\$11,930,000” in the
 16 amount column and inserting “\$1,930,000”; and

17 (3) by striking the amount identified as the
 18 total in the amount column and inserting
 19 “\$799,497,000”.

20 **SEC. 2206. MODIFICATION OF AUTHORITY TO CARRY OUT**
 21 **FISCAL YEAR 2000 PROJECT.**

22 (a) MODIFICATION.—The table in section 2201(a) of
 23 the Military Construction Authorization Act for Fiscal
 24 Year 2000 (division B of Public Law 106–65; 113 Stat.
 25 828) is amended—

(1) in the item relating to Camp Smith, Hawaii, by striking “\$86,050,000” in the amount column and inserting “\$89,050,000”; and

(2) by striking the amount identified as the total in the amount column and inserting “\$820,230,000”.

(b) CONFORMING AMENDMENT.—Section 2204(b)(3) of that Act (113 Stat. 831) is amended by striking “\$70,180,000” and inserting “\$73,180,000”.

TITLE XXIII—AIR FORCE

SEC. 2301. AUTHORIZED AIR FORCE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2304(a)(1), the Secretary of the Air Force may acquire real property and carry out military construction projects for the installations and locations inside the United States, and in the amounts, set forth in the following table:

Air Force: Inside the United States

State	Installation or location	Amount
Alabama	Maxwell Air Force Base	\$34,400,000
Alaska	Eareckson Air Force Base	\$4,600,000
	Elmendorf Air Force Base	\$32,200,000
Arizona	Davis-Monthan Air Force Base	\$17,300,000
Arkansas	Little Rock Air Force Base	\$18,100,000
California	Edwards Air Force Base	\$16,300,000
	Los Angeles Air Force Base	\$23,000,000
	Travis Air Force Base	\$16,400,000
	Vandenberg Air Force Base	\$11,800,000
Colorado	Buckley Air Force Base	\$23,200,000
	Schriever Air Force Base	\$19,000,000
	United States Air Force Academy ...	\$25,500,000
Delaware	Dover Air Force Base	\$7,300,000

Air Force: Inside the United States—Continued

State	Installation or location	Amount
District of Columbia	Bolling Air Force Base	\$2,900,000
Florida	Cape Canaveral Air Force Station ...	\$7,800,000
	Eglin Air Force Base	\$11,400,000
	Hurlburt Field	\$10,400,000
	MacDill Air Force Base	\$10,000,000
	Tyndall Air Force Base	\$15,050,000
Georgia	Moody Air Force Base	\$8,600,000
	Robins Air Force Base	\$14,650,000
Idaho	Mountain Home Air Force Base	\$14,600,000
Louisiana	Barksdale Air Force Base	\$5,000,000
Maryland	Andrews Air Force Base	\$19,420,000
Massachusetts	Hanscom Air Force Base	\$9,400,000
Mississippi	Columbus Air Force Base	\$5,000,000
	Keesler Air Force Base	\$28,600,000
Montana	Malmstrom Air Force Base	\$4,650,000
Nebraska	Offet Air Force Base	\$10,400,000
Nevada	Nellis Air Force Base	\$31,600,000
New Jersey	McGuire Air Force Base	\$36,550,000
New Mexico	Cannon Air Force Base	\$9,400,000
	Kirtland Air Force Base	\$15,500,000
North Carolina	Pope Air Force Base	\$17,800,000
North Dakota	Grand Forks Air Force Base	\$7,800,000
Ohio	Wright-Patterson Air Force Base ...	\$24,850,000
Oklahoma	Altus Air Force Base	\$20,200,000
	Tinker Air Force Base	\$21,400,000
	Vance Air Force Base	\$4,800,000
South Carolina	Shaw Air Force Base	\$5,800,000
South Dakota	Ellsworth Air Force Base	\$12,000,000
Tennessee	Arnold Air Force Base	\$24,400,000
Texas	Lackland Air Force Base	\$12,800,000
	Laughlin Air Force Base	\$12,000,000
	Sheppard Air Force Base	\$37,000,000
Utah	Hill Air Force Base	\$14,000,000
Virginia	Langley Air Force Base	\$47,300,000
Washington	Fairechild Air Force Base	\$2,800,000
	McChord Air Force Base	\$20,700,000
Wyoming	F.E. Warren Air Force Base	\$10,200,000
	Total:	\$811,370,000

1 (b) OUTSIDE THE UNITED STATES.—Using amounts
2 appropriated pursuant to the authorization of appropria-
3 tions in section 2304(a)(2), the Secretary of the Air Force
4 may acquire real property and carry out military construc-
5 tion projects for the installations and locations outside the
6 United States, and in the amounts, set forth in the fol-
7 lowing table:

Air Force: Outside the United States

Country	Installation or location	Amount
Germany	Ramstein Air Force Base	\$42,900,000
	Spangdahlem Air Base	\$8,700,000
Guam	Andersen Air Force Base	\$10,150,000
Italy	Aviano Air Base	\$11,800,000
Korea	Kunsan Air Base	\$12,000,000
	Osan Air Base	\$101,142,000
Oman	Masirah Island	\$8,000,000
Turkey	Eskisehir	\$4,000,000
United Kingdom	Royal Air Force, Lakenheath	\$11,300,000
	Royal Air Force, Mildenhall	\$22,400,000
Wake Island	Wake Island	\$25,000,000
	Total:	\$257,392,000

1 (c) UNSPECIFIED WORLDWIDE.—Using the amounts
2 appropriated pursuant to the authorization of appropria-
3 tions in section 2304(a)(3), the Secretary of the Air Force
4 may acquire real property and carry out military construc-
5 tion projects for the installation and location and in the
6 amount, set forth in the following table:

Air Force: Unspecified Worldwide

Location	Installation	Amount
Unspecified Worldwide	Classified Location	\$4,458,000

7 SEC. 2302. FAMILY HOUSING.

8 (a) CONSTRUCTION AND ACQUISITION.—Using
9 amounts appropriated pursuant to the authorization of ap-
10 propriations in section 2304(a)(6)(A), the Secretary of the
11 Air Force may construct or acquire family housing units
12 (including land acquisition) at the installations, for the
13 purposes, and in the amounts set forth in the following
14 table:

Air Force: Family Housing

State or country	Installation or loca- tion	Purpose	Amount
Arizona	Luke Air Force Base ..	120 Units	\$15,712,000

Air Force: Family Housing—Continued

State or country	Installation or location	Purpose	Amount
California	Travis Air Force Base	118 Units	\$18,150,000
Colorado	Buckley Air Force Base.	55 Units	\$11,400,000
Delaware	Dover Air Force Base	120 Units	\$18,145,000
District of Columbia	Bolling Air Force Base	136 Units	\$16,926,000
Hawaii	Hickam Air Force Base.	102 Units	\$25,037,000
Louisiana	Barksdale Air Force Base.	56 Units	\$7,300,000
South Dakota	Ellsworth Air Force Base.	78 Units	\$13,700,000
Virginia	Langley Air Force Base.	4 Units	\$1,200,000
Portugal	Lajes Field, Azores	64 Units	\$13,230,000
		Total:	\$140,800,000

1 (b) PLANNING AND DESIGN.—Using amounts appro-
2 priated pursuant to the authorization of appropriations in
3 section 2304(a)(6)(A), the Secretary of the Air Force may
4 carry out architectural and engineering services and con-
5 struction design activities with respect to the construction
6 or improvement of military family housing units in an
7 amount not to exceed \$24,558,000.

8 **SEC. 2303. IMPROVEMENTS TO MILITARY FAMILY HOUSING**
9 **UNITS.**

10 Subject to section 2825 of title 10, United States
11 Code, and using amounts appropriated pursuant to the
12 authorization of appropriations in section 2304(a)(6)(A),
13 the Secretary of the Air Force may improve existing mili-
14 tary family housing units in an amount not to exceed
15 \$375,379,000.

1 **SEC. 2304. AUTHORIZATION OF APPROPRIATIONS, AIR**
2 **FORCE.**

3 (a) IN GENERAL.—Funds are hereby authorized to
4 be appropriated for fiscal years beginning after September
5 30, 2001, for military construction, land acquisition, and
6 military family housing functions of the Department of the
7 Air Force in the total amount of \$2,587,791,000, as fol-
8 lows:

9 (1) For military construction projects inside the
10 United States authorized by section 2301(a),
11 \$816,070,000.

12 (2) For military construction projects outside
13 the United States authorized by section 2301(b),
14 \$257,392,000.

15 (3) For the military construction projects at
16 unspecified worldwide locations authorized by section
17 2301(c), \$4,458,000.

18 (4) For unspecified minor construction projects
19 authorized by section 2805 of title 10, United States
20 Code, \$11,250,000.

21 (5) For architectural and engineering services
22 and construction design under section 2807 of title
23 10, United States Code, \$90,419,000.

24 (6) For military housing functions:

1 (A) For construction and acquisition, plan-
 2 ning and design, and improvement of military
 3 family housing and facilities, \$542,381,000.

4 (B) For support of military family housing
 5 (including functions described in section 2833
 6 of title 10, United States Code), \$869,121,000.

7 (b) LIMITATION ON TOTAL COST OF CONSTRUCTION
 8 PROJECTS.—Notwithstanding the cost variations author-
 9 ized by section 2853 of title 10, United States Code, and
 10 any other cost variation authorized by law, the total cost
 11 of all projects carried out under section 2301 of this Act
 12 may not exceed the total amount authorized to be appro-
 13 priated under paragraphs (1), (2), and (3) of subsection
 14 (a).

15 (c) ADJUSTMENT.—The total amount authorized to
 16 be appropriated pursuant to paragraphs (1) through (6)
 17 of subsection (a) is the sum of the amounts authorized
 18 to be appropriated in such paragraphs reduced by
 19 \$3,300,000, which represents savings resulting from ad-
 20 justments to foreign currency exchange rates for military
 21 family housing construction and military family housing
 22 support outside the United States.

**SEC. 2305. MODIFICATION OF AUTHORITY TO CARRY OUT
CERTAIN FISCAL YEAR 2001 PROJECT.**

The table in section 2302(a) of the Military Construction Authorization Act for Fiscal Year 2001 (division B of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted by Public Law 106–398); 114 Stat. 1654A–400) is amended in the item relating to Mountain Home Air Force Base, Idaho, by striking “119 Units” in the purpose column and inserting “46 Units”.

**TITLE XXIV—DEFENSE
AGENCIES**

SEC. 2401. AUTHORIZED DEFENSE AGENCIES CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2403(a)(1), the Secretary of Defense may acquire real property and carry out military construction projects for the installations and locations inside the United States, and in the amounts, set forth in the following table:

Defense Agencies: Inside the United States

Agency	Installation or location	Amount
Defense Education Activity ..	Laurel Bay, South Carolina	\$12,850,000
	Marine Corps Base, Camp LeJeune, North Carolina	\$8,857,000
Defense Logistics Agency	Defense Distribution Depot Tracy, California	\$30,000,000
	Defense Distribution Depot, Susquehanna, New Cumberland, Pennsylvania	\$19,900,000

Defense Agencies: Inside the United States—Continued

Agency	Installation or location	Amount
Special Operations Command	Eielson Air Force Base, Alaska	\$8,800,000
	Fort Belvoir, Virginia	\$900,000
	Grand Forks Air Force Base, North Dakota	\$9,110,000
	Hickam Air Force Base, Hawaii	\$29,200,000
	McGuire Air Force Base, New Jersey	\$4,400,000
	Minot Air Force Base, North Dakota	\$14,000,000
	Philadelphia, Pennsylvania	\$2,429,000
	Pope Air Force Base, North Carolina	\$3,400,000
	Aberdeen Proving Ground, Maryland	\$3,200,000
	Fort Benning, Georgia	\$5,100,000
	Fort Bragg, North Carolina	\$33,562,000
	Fort Lewis, Washington	\$6,900,000
	Hurlburt Field, Florida	\$13,400,000
	MacDill Air Force Base, Florida	\$12,000,000
	Naval Station, San Diego, California	\$13,650,000
	CONUS Classified	\$2,400,000
	Andrews Air Force Base, Maryland	\$10,250,000
TRICARE Management Activity.	Dyess Air Force Base, Texas	\$3,300,000
	F.E. Warren Air Force Base, Wyoming	\$2,700,000
	Fort Hood, Texas	\$12,200,000
	Fort Stewart/Hunter Army Air Field, Georgia	\$11,000,000
	Holloman Air Force Base, New Mexico	\$5,700,000
	Hurlburt Field, Florida	\$8,800,000
	Marine Corps Base, Camp Pendleton, California	\$15,300,000
	Marine Corps Logistics Base, Albany, Georgia	\$5,800,000
	Naval Air Station, Whidbey Island, Washington	\$6,600,000
	Naval Hospital, Twentynine Palms, California	\$1,600,000
	Naval Station, Mayport, Florida	\$24,000,000
	Naval Station, Norfolk, Virginia	\$21,000,000
	Schriever Air Force Base, Colorado	\$4,000,000
	Pentagon Reservation, Virginia	\$25,000,000
Washington Headquarters Services.	Total:	\$391,308,000

1 (b) OUTSIDE THE UNITED STATES.—Using amounts
2 appropriated pursuant to the authorization of appropria-
3 tions in section 2403(a)(2), the Secretary of Defense may
4 acquire real property and carry out military construction
5 projects for the installations and locations outside the

1 United States, and in the amounts, set forth in the fol-
 2 lowing table:

Defense Agencies: Outside the United States

Agency	Installation or location	Amount
Defense Education Activity ..	Aviano Air Base, Italy	\$3,647,000
	Geilenkirchen, Germany	\$1,733,000
	Heidelberg, Germany	\$3,312,000
	Kaiserslautern, Germany	\$1,439,000
	Kitzingen, Germany	\$1,394,000
	Landstuhl, Germany	\$1,444,000
	Ramstein Air Base, Germany	\$2,814,000
	Royal Air Force, Feltwell, United Kingdom	\$22,132,000
	Vogelweh Annex, Germany	\$1,558,000
	Wiesbaden Air Base, Germany	\$1,378,000
	Wuerzburg, Germany	\$2,684,000
Defense Logistics Agency	Andersen Air Force Base, Guam	\$20,000,000
	Camp Casey, Korea	\$5,500,000
	Naval Station, Rota, Spain	\$3,000,000
	Yokota Air Base, Japan	\$13,000,000
	Comalapa Air Base, El Salvador	\$12,577,000
Office of Secretary of De- fense.		
TRICARE Management Ac- tivity.	Heidelberg, Germany	\$28,000,000
	Lajes Field, Azores, Portugal	\$3,750,000
	Thule, Greenland	\$10,800,000
	Total:	\$140,162,000

3 **SEC. 2402. ENERGY CONSERVATION PROJECTS.**

4 Using amounts appropriated pursuant to the author-
 5 ization of appropriations in section 2405(a)(6), the Sec-
 6 retary of Defense may carry out energy conservation
 7 projects under section 2865 of title 10, United States
 8 Code, in the amount of \$35,600,000.

9 **SEC. 2403. AUTHORIZATION OF APPROPRIATIONS, DE-**
 10 **FENSE AGENCIES.**

11 (a) IN GENERAL.—Funds are hereby authorized to
 12 be appropriated for fiscal years beginning after September
 13 30, 2001, for military construction, land acquisition, and
 14 military family housing functions of the Department of

1 Defense (other than the military departments), in the total
2 amount of \$1,492,956,000, as follows:

3 (1) For military construction projects inside the
4 United States authorized by section 2401(a),
5 \$391,308,000.

6 (2) For military construction projects outside
7 the United States authorized by section 2401(b),
8 \$140,162,000.

9 (3) For unspecified minor construction projects
10 under section 2805 of title 10, United States Code,
11 \$24,492,000.

12 (4) For contingency construction projects of the
13 Secretary of Defense under section 2804 of title 10,
14 United States Code, \$10,000,000.

15 (5) For architectural and engineering services
16 and construction design under section 2807 of title
17 10, United States Code, \$87,382,000.

18 (6) For energy conservation projects authorized
19 by section 2402 of this Act, \$35,600,000.

20 (7) For base closure and realignment activities
21 as authorized by the Defense Base Closure and Re-
22 alignment Act of 1990 (part A of title XXIX of
23 Public Law 101–510; 10 U.S.C. 2687 note),
24 \$592,200,000.

25 (8) For military family housing functions:

1 (A) For improvement of military family
2 housing and facilities, \$250,000.

3 (B) For support of military family housing
4 (including functions described in section 2833
5 of title 10, United States Code), \$43,762,000 of
6 which not more than \$37,298,000 may be obli-
7 gated or expended for the leasing of military
8 family housing units worldwide.

9 (C) For credit to the Department of De-
10 fense Family Housing Improvement Fund es-
11 tablished by section 2883(a)(1) of title 10,
12 United States Code, \$2,000,000.

13 (9) For construction of the Ammunition Demili-
14 tarization Facility Phase 6, Pine Bluff Arsenal, Ar-
15 kansas, authorized in section 2401(a) of the Military
16 Construction Authorization Act for Fiscal Year 1995
17 (division B of Public Law 103–337; 108 Stat.
18 3040), as amended by section 2407 of the Military
19 Construction Authorization Act for Fiscal Year 1996
20 (division B of Public Law 104–106; 110 Stat. 538),
21 section 2408 of the Military Construction Authoriza-
22 tion Act for Fiscal Year 1998 (division B of Public
23 Law 105–85; 111 Stat. 1982), section 2406 of the
24 Military Construction Authorization Act for Fiscal
25 Year 1999 (division B of Public Law 105–261; 112

1 Stat. 2197), and section 2408 of this Act,
2 \$26,000,000.

3 (10) For construction of the Ammunition De-
4 militarization Facility Phase 3, Pueblo Army Depot,
5 Colorado, authorized in section 2401(a) of the Mili-
6 tary Construction Authorization Act for Fiscal Year
7 1997 (division B of Public Law 104–201; 110 Stat.
8 2775), as amended by section 2406 of the Military
9 Construction Authorization Act for Fiscal Year 2000
10 (division B of Public Law 106–65; 113 Stat. 839),
11 \$11,000,000.

12 (11) For construction of the Ammunition De-
13 militarization Facility Phase 4, Newport Army
14 Depot, Indiana, authorized in section 2401(a) of the
15 Military Construction Authorization Act for Fiscal
16 Year 1999 (division B of Public Law 105–261; 112
17 Stat. 2193), \$66,000,000.

18 (12) For construction of the Ammunition De-
19 militarization Facility phase 4, Aberdeen Proving
20 Ground, Maryland, authorized in section 2401(a) of
21 the Military Construction Authorization Act for Fis-
22 cal Year 1999 (112 Stat. 2193), as amended by sec-
23 tion 2407 of this Act, \$66,500,000.

24 (13) For construction of the Ammunition De-
25 militarization Facility Phase 2, Blue Grass Army

1 Depot, Kentucky, authorized in section 2401(a) of
 2 the Military Construction Authorization Act for Fis-
 3 cal Year 2000 (division B of Public Law 106–65;
 4 113 Stat. 835), as amended by section 2406 of this
 5 Act, \$3,000,000.

6 (b) LIMITATION ON TOTAL COST OF CONSTRUCTION
 7 PROJECTS.—Notwithstanding the cost variations author-
 8 ized by section 2853 of title 10, United States Code, and
 9 any other cost variation authorized by law, the total cost
 10 of all projects carried out under section 2401 of this Act
 11 may not exceed the total amount authorized to be appro-
 12 priated under paragraphs (1) and (2) of subsection (a).

13 (c) ADJUSTMENT.—The total amount authorized to
 14 be appropriated pursuant to paragraphs (1) through (8)
 15 of subsection (a) is the sum of the amounts authorized
 16 to be appropriated in such paragraphs reduced by
 17 \$1,700,000, which represents savings resulting from ad-
 18 justments to foreign currency exchange rates for military
 19 family housing construction and military family housing
 20 support outside the United States.

21 **SEC. 2404. CANCELLATION OF AUTHORITY TO CARRY OUT**
 22 **CERTAIN FISCAL YEAR 2001 PROJECTS.**

23 (a) CANCELLATION OF PROJECTS AT CAMP PEN-
 24 DLETON, CALIFORNIA.—(1) The table in section 2401(a)
 25 of the Military Construction Authorization Act for Fiscal

1 Year 2001 (division B of the Floyd D. Spence National
2 Defense Authorization Act for Fiscal Year 2001 (as en-
3 acted by Public Law 106–398); 114 Stat. 1654A–402) is
4 amended—

5 (A) by striking the item relating to Marine
6 Corps Base, Camp Pendleton, California, under the
7 heading TRICARE Management Activity; and

8 (B) by striking the amount identified as the
9 total in the amount column and inserting
10 “\$242,756,000”.

11 (2) Of the amount authorized to be appropriated by
12 section 2403(a) of that Act (114 Stat. 1654A–404), and
13 paragraph (1) of that section, \$14,150,000 shall be avail-
14 able for purposes relating to construction of the Ports-
15 mouth Naval Hospital, Virginia, as authorized by section
16 2401(a) of the Military Construction Authorization Act
17 for Fiscal Years 1990 and 1991 (division B of Public Law
18 101–189). Such amount is the amount authorized to be
19 appropriated by section 2403(a) of the Military Construc-
20 tion Authorization Act for Fiscal Year 2001 for purposes
21 authorized in section 2401(a) of that Act relating to Ma-
22 rine Corps Base, Camp Pendleton, California.

23 (b) CONFORMING AMENDMENTS.—Section 2403(a)
24 of that Act is amended—

1 (1) in the matter preceding paragraph (1), by
 2 striking “\$1,883,902,000” and inserting
 3 “\$1,828,902,000”; and

4 (2) in paragraph (3), by striking
 5 “\$85,095,000” and inserting “\$30,095,000”.

6 **SEC. 2405. CANCELLATION OF AUTHORITY TO CARRY OUT**
 7 **ADDITIONAL FISCAL YEAR 2001 PROJECT.**

8 (a) CANCELLATION OF AUTHORITY.—Section
 9 2401(c) the Military Construction Authorization Act for
 10 Fiscal Year 2001 (division B of the Floyd D. Spence Na-
 11 tional Defense Authorization Act for Fiscal Year 2001 (as
 12 enacted by Public Law 106–398); 114 Stat. 1654A–404)
 13 is amended by striking “\$451,135,000” and inserting
 14 “\$30,095,000”.

15 (b) CONFORMING AMENDMENTS.—Section 2403 of
 16 that Act is amended—

17 (1) in subsection (a)—

18 (A) in the matter preceding paragraph (1),
 19 by striking “\$1,883,902,000” and inserting
 20 “\$1,828,902,000”; and

21 (B) in paragraph (3), by striking
 22 “\$85,095,000” and inserting “\$30,095,000”;
 23 and

24 (2) in subsection (b), by striking “may not ex-
 25 ceed—” and all that follows through the end of the

1 subsection and inserting “may not exceed the total
 2 amount authorized to be appropriated under para-
 3 graphs (1) and (2) of subsection (a).”.

4 **SEC. 2406. MODIFICATION OF AUTHORITY TO CARRY OUT**
 5 **CERTAIN FISCAL YEAR 2000 PROJECTS.**

6 (a) MODIFICATION.—The table in section 2401(a) of
 7 the Military Construction Authorization Act for Fiscal
 8 Year 2000 (division B of Public Law 106–65; 113 Stat.
 9 835) is amended—

10 (1) in the item under the heading Chemical De-
 11 militarization relating to Blue Grass Army Depot,
 12 Kentucky, by striking “\$206,800,000” and inserting
 13 “\$254,030,000”;

14 (2) under the heading relating to TRICARE
 15 Management Agency—

16 (A) in the item relating to Fort Wain-
 17 wright, Alaska, by striking “\$133,000,000” and
 18 inserting “\$215,000,000”; and

19 (B) by striking the item relating to Naval
 20 Air Station, Whidbey Island, Washington; and

21 (3) by striking the amount identified as the
 22 total in the amount column and inserting
 23 “\$711,950,000”.

24 (b) CONFORMING AMENDMENTS.—Section 2405(b)
 25 of that Act (113 Stat. 839) is amended—

1 (1) in paragraph (2), by striking
 2 “\$115,000,000” and inserting “\$197,000,000”; and
 3 (2) in paragraph (3), by striking
 4 “\$184,000,000” and inserting “\$231,230,000”.

5 (c) TREATMENT OF AUTHORIZATION OF APPROPRIA-
 6 TIONS FOR CANCELED PROJECT.—Of the amount author-
 7 ized to be appropriated by section 2405(a) of that Act
 8 (113 Stat. 837), and paragraph (1) of that section,
 9 \$4,700,000 shall be available for purposes relating to con-
 10 struction of the Portsmouth Naval Hospital, Virginia, as
 11 authorized by section 2401(a) of the Military Construction
 12 Authorization Act for Fiscal Years 1990 and 1991 (divi-
 13 sion B of Public Law 101–189). Such amount is the
 14 amount authorized to be appropriated by section 2405(a)
 15 of the Military Construction Authorization Act for Fiscal
 16 Year 2000 for purposes authorized in section 2401(a) of
 17 that Act relating to Naval Air Station, Whidbey Island,
 18 Washington.

19 **SEC. 2407. MODIFICATION OF AUTHORITY TO CARRY OUT**
 20 **CERTAIN FISCAL YEAR 1999 PROJECT.**

21 (a) MODIFICATION.—The table in section 2401(a) of
 22 the Military Construction Authorization Act for Fiscal
 23 Year 1999 (division B of Public Law 105–261; 112 Stat.
 24 2193) is amended—

1 (1) in the item under the agency heading
 2 Chemical Demilitarization relating to Aberdeen
 3 Proving Ground, Maryland, by striking
 4 “\$186,350,000” in the amount column and inserting
 5 “\$223,950,000”; and

6 (2) by striking the amount identified as the
 7 total in the amount column and inserting
 8 “\$727,616,000”.

9 (b) CONFORMING AMENDMENT.—Section 2404(b)(3)
 10 of that Act (112 Stat. 2196) is amended by striking
 11 “\$158,000,000” and inserting “\$195,600,000”.

12 **SEC. 2408. MODIFICATION OF AUTHORITY TO CARRY OUT**
 13 **CERTAIN FISCAL YEAR 1995 PROJECT.**

14 The table in section 2401 of the Military Construc-
 15 tion Authorization Act for Fiscal Year 1995 (division B
 16 of Public Law 103–337; 108 Stat. 3040), as amended by
 17 section 2407 of the Military Construction Authorization
 18 Act for Fiscal Year 1996 (division B of Public Law 104–
 19 106; 110 Stat. 539), section 2408 of the Military Con-
 20 struction Authorization Act for Fiscal Year 1998 (division
 21 B of Public Law 105–85; 111 Stat. 1982), and section
 22 2406 of the Military Construction Authorization Act for
 23 Fiscal Year 1999 (division B of Public Law 105–261; 112
 24 Stat. 2197), is further amended under the agency heading
 25 relating to Chemical Weapons and Munitions Destruction

1 in the item relating to Pine Bluff Arsenal, Arkansas, by
 2 striking “\$154,400,000” in the amount column and in-
 3 serting “\$177,400,000”.

4 **TITLE XXV—NORTH ATLANTIC**
 5 **TREATY ORGANIZATION SE-**
 6 **CURITY INVESTMENT PRO-**
 7 **GRAM**

8 **SEC. 2501. AUTHORIZED NATO CONSTRUCTION AND LAND**
 9 **ACQUISITION PROJECTS.**

10 The Secretary of Defense may make contributions for
 11 the North Atlantic Treaty Organization Security Invest-
 12 ment program as provided in section 2806 of title 10,
 13 United States Code, in an amount not to exceed the sum
 14 of the amount authorized to be appropriated for this pur-
 15 pose in section 2502 and the amount collected from the
 16 North Atlantic Treaty Organization as a result of con-
 17 struction previously financed by the United States.

18 **SEC. 2502. AUTHORIZATION OF APPROPRIATIONS, NATO.**

19 Funds are hereby authorized to be appropriated for
 20 fiscal years beginning after September 30, 2001, for con-
 21 tributions by the Secretary of Defense under section 2806
 22 of title 10, United States Code, for the share of the United
 23 States of the cost of projects for the North Atlantic Treaty
 24 Organization Security Investment program authorized by
 25 section 2501, in the amount of \$162,600,000.

**TITLE XXVI—GUARD AND
RESERVE FORCES FACILITIES**

SEC. 2601. AUTHORIZED GUARD AND RESERVE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

There are authorized to be appropriated for fiscal years beginning after September 30, 2001, for the costs of acquisition, architectural and engineering services, and construction of facilities for the Guard and Reserve Forces, and for contributions therefor, under chapter 1803 of title 10, United States Code (including the cost of acquisition of land for those facilities), the following amounts:

(1) For the Department of the Army—

(A) for the Army National Guard of the United States, \$365,240,000; and

(B) for the Army Reserve, \$111,404,000.

(2) For the Department of the Navy, for the Naval and Marine Corps Reserve, \$33,641,000.

(3) For the Department of the Air Force—

(A) for the Air National Guard of the United States, \$227,232,000; and

(B) for the Air Force Reserve, \$53,732,000.

1 **TITLE XXVII—EXPIRATION AND**
 2 **EXTENSION OF AUTHORIZA-**
 3 **TIONS**

4 **SEC. 2701. EXPIRATION OF AUTHORIZATIONS AND**
 5 **AMOUNTS REQUIRED TO BE SPECIFIED BY**
 6 **LAW.**

7 (a) EXPIRATION OF AUTHORIZATIONS AFTER THREE
 8 YEARS.—Except as provided in subsection (b), all author-
 9 izations contained in titles XXI through XXVI for military
 10 construction projects, land acquisition, family housing
 11 projects and facilities, and contributions to the North At-
 12 lantic Treaty Organization Security Investment program
 13 (and authorizations of appropriations therefor) shall ex-
 14 pire on the later of—

15 (1) October 1, 2004; or

16 (2) the date of the enactment of an Act author-
 17 izing funds for military construction for fiscal year
 18 2005.

19 (b) EXCEPTION.—Subsection (a) shall not apply to
 20 authorizations for military construction projects, land ac-
 21 quisition, family housing projects and facilities, and con-
 22 tributions to the North Atlantic Treaty Organization Se-
 23 curity Investment program (and authorizations of appro-
 24 priations therefor) for which appropriated funds have been
 25 obligated before the later of—

1 (1) October 1, 2004; or

2 (2) the date of the enactment of an Act author-
 3 izing funds for fiscal year 2005 for military con-
 4 struction projects, land acquisition, family housing
 5 projects and facilities, or contributions to the North
 6 Atlantic Treaty Organization Security Investment
 7 program.

8 **SEC. 2702. EXTENSION OF AUTHORIZATIONS OF CERTAIN**
 9 **FISCAL YEAR 1999 PROJECTS.**

10 (a) EXTENSION.—Notwithstanding section 2701 of
 11 the Military Construction Authorization Act for Fiscal
 12 Year 1999 (division B of Public Law 105–261; 112 Stat.
 13 2199), authorizations set forth in the tables in subsection
 14 (b), as provided in section 2302 or 2601 of that Act, shall
 15 remain in effect until October 1, 2002, or the date of the
 16 enactment of an Act authorizing funds for military con-
 17 struction for fiscal year 2003, whichever is later.

18 (b) TABLES.—The tables referred to in subsection (a)
 19 are as follows:

Air Force: Extension of 1999 Project Authorizations

State	Installation or loca- tion	Project	Amount
Delaware	Dover Air Force Base	Replace Family Housing (55 units).	\$8,998,000
Florida	Patrick Air Force Base	Replace Family Housing (46 units).	\$9,692,000
New Mexico	Kirtland Air Force Base.	Replace Family Housing (37 units).	\$6,400,000

Air Force: Extension of 1999 Project Authorizations—Continued

State	Installation or location	Project	Amount
Ohio	Wright-Patterson Air Force Base.	Replace Family Housing (40 units).	\$5,600,000

Army National Guard: Extension of 1999 Project Authorizations

State	Installation or location	Project	Amount
Massachusetts	Westfield	Army Aviation Support Facility.	\$9,274,000
South Carolina	Spartanburg	Readiness Center.	\$5,260,000

1 **SEC. 2703. EXTENSION OF AUTHORIZATIONS OF CERTAIN**
2 **FISCAL YEAR 1998 PROJECTS.**

3 (a) EXTENSION.—Notwithstanding section 2701 of
4 the Military Construction Authorization Act for Fiscal
5 Year 1998 (division B of Public Law 105–85; 111 Stat.
6 1984), authorizations set forth in the tables in subsection
7 (b), as provided in section 2102, 2202, or 2302 of that
8 Act and extended by section 2702 of the Military Con-
9 struction Authorization Act for Fiscal Year 2001 (division
10 B of the Floyd D. Spence National Defense Authorization
11 Act for Fiscal Year 2001 (as enacted by Public Law 106–
12 398; 114 Stat. 1654A–408)), shall remain in effect until
13 October 1, 2002, or the date of the enactment of an Act
14 authorizing funds for military construction for fiscal year
15 2003, whichever is later.

16 (b) TABLES.—The tables referred to in subsection (a)
17 are as follows:

Army: Extension of 1998 Project Authorization

State	Installation or location	Project	Amount
Maryland	Fort Meade	Family Housing Construction (56 units).	\$7,900,000

Navy: Extension of 1998 Project Authorizations

State	Installation or location	Project	Amount
California	Naval Complex, San Diego.	Replacement Family Housing Construction (94 units).	\$13,500,000
California	Marine Corps Air Station, Miramar.	Family Housing Construction (166 units).	\$28,881,000
Louisiana	Naval Complex, New Orleans.	Replacement Family Housing Construction (100 units).	\$11,930,000
Texas	Naval Air Station, Corpus Christi.	Family Housing Construction (212 units).	\$22,250,000

Air Force: Extension of 1998 Project Authorization

State	Installation or location	Project	Amount
New Mexico	Kirtland Air Force Base.	Replace Family Housing (180 units).	\$20,900,000

1 SEC. 2704. EFFECTIVE DATE.

2 Titles XXI, XXII, XXIII, XXIV, XXV, and XXVI

3 shall take effect on the later of—

4 (1) October 1, 2001; or

5 (2) the date of the enactment of this Act.

1 **TITLE XXVIII—GENERAL**
2 **PROVISIONS**
3 **Subtitle A—Military Construction**
4 **Program and Military Family**
5 **Housing Changes**

6 **SEC. 2801. INCREASE IN THRESHOLDS FOR CERTAIN UN-**
7 **SPECIFIED MINOR MILITARY CONSTRUCTION**
8 **PROJECTS.**

9 (a) PROJECTS REQUIRING ADVANCE APPROVAL OF
10 SECRETARY CONCERNED.—Subsection (b)(1) of section
11 2805 of title 10, United States Code, amended by striking
12 “\$500,000” and inserting “\$750,000”.

13 (b) PROJECTS USING AMOUNTS FOR OPERATION
14 AND MAINTENANCE.—Subsection (c)(1) of that section is
15 amended—

16 (1) in subparagraph (A), by striking
17 “\$1,000,000” and inserting “\$1,500,000”; and

18 (2) in subparagraph (B), by striking
19 “\$500,000” and inserting “\$750,000”.

1 **SEC. 2802. UNFORESEEN ENVIRONMENTAL HAZARD REME-**
 2 **DIATION AS BASIS FOR AUTHORIZED COST**
 3 **VARIATIONS FOR MILITARY CONSTRUCTION**
 4 **AND FAMILY HOUSING CONSTRUCTION**
 5 **PROJECTS.**

6 Subsection (d) of section 2853 of title 10, United
 7 States Code, is amended to read as follows:

8 “(d) The limitation on cost increases in subsection
 9 (a) does not apply to the following:

10 “(1) The settlement of a contractor claim under
 11 a contract.

12 “(2) The cost of any environmental hazard re-
 13 mediation required by law, including asbestos re-
 14 moval, radon abatement, and lead-based paint re-
 15 moval or abatement, if such remediation could not
 16 have reasonably been anticipated at the time the
 17 project was approved originally by Congress.”.

18 **SEC. 2803. REPEAL OF REQUIREMENT FOR ANNUAL RE-**
 19 **PORTS TO CONGRESS ON MILITARY CON-**
 20 **STRUCTION AND MILITARY FAMILY HOUSING**
 21 **ACTIVITIES.**

22 (a) REPEAL.—Section 2861 of title 10, United States
 23 Code is repealed.

24 (b) CLERICAL AMENDMENT.—The table of sections
 25 at the beginning of subchapter III of chapter 169 of such

1 title is amended by striking the item relating to section
2 2861.

3 **SEC. 2804. AUTHORITY AVAILABLE FOR LEASE OF PROP-**
4 **ERTY AND FACILITIES UNDER ALTERNATIVE**
5 **AUTHORITY FOR ACQUISITION AND IM-**
6 **PROVEMENT OF MILITARY HOUSING.**

7 (a) LEASE AUTHORITIES AVAILABLE.—Section 2878
8 of title 10, United States Code, is amended—

9 (1) by redesignating subsections (c) and (d) as
10 subsections (d) and (e), respectively; and

11 (2) by inserting after subsection (b) the fol-
12 lowing new subsection (c):

13 “(c) LEASE AUTHORITIES AVAILABLE.—(1) The Sec-
14 retary concerned may use any authority or combination
15 of authorities available under section 2667 of this title in
16 leasing property or facilities under this section to the ex-
17 tent such property or facilities, as the case may be, are
18 described by subsection (a)(1) of such section 2667.

19 “(2) The limitation in subsection (b)(1) of section
20 2667 of this title shall not apply with respect to a lease
21 of property or facilities under this section.”.

22 (b) CONFORMING AMENDMENT.—Subsection (e) of
23 that section, as redesignated by subsection (a) of this sec-
24 tion, is further amended—

25 (1) by striking paragraph (1); and

1 (2) by redesignated paragraphs (2), (3), and
 2 (4) as paragraphs (1), (2), and (3), respectively.

3 (c) TECHNICAL AMENDMENT.—Paragraph (3) of
 4 subsection (e) of that section, as redesignated by this sec-
 5 tion, is further amended by striking “Stewart B. McKin-
 6 ney Homeless Assistance Act” and inserting “McKinney-
 7 Vento Homeless Assistance Act”.

8 **SEC. 2805. FUNDS FOR HOUSING ALLOWANCES OF MEM-**
 9 **BERS ASSIGNED TO MILITARY FAMILY HOUS-**
 10 **ING UNDER ALTERNATIVE AUTHORITY FOR**
 11 **ACQUISITION AND IMPROVEMENT OF MILI-**
 12 **TARY HOUSING.**

13 (a) IN GENERAL.—Subchapter IV of chapter 169 of
 14 title 10, United States Code, is amended by inserting after
 15 section 2883 the following new section:

16 **“§ 2883a. Funds for housing allowances of members**
 17 **of the armed forces assigned to certain**
 18 **military family housing units**

19 “To the extent provided in advance in appropriations
 20 Acts, the Secretary of Defense may, during the fiscal year
 21 in which a contract is awarded for the acquisition or con-
 22 struction of military family housing units under this sub-
 23 chapter that are not to be owned by the United States,
 24 transfer from appropriations available for support of mili-
 25 tary housing for the armed force concerned for that fiscal

1 year to appropriations available for pay and allowances of
 2 military personnel of that armed force for that fiscal year
 3 amounts equal to any additional amounts payable during
 4 that fiscal year to members of that armed force assigned
 5 to such housing units as basic allowance for housing under
 6 section 403 of title 37 that would not otherwise have been
 7 payable to such members if not for assignment to such
 8 housing units.”.

9 (b) CLERICAL AMENDMENT.—The table of sections
 10 at the beginning of that subchapter is amended by insert-
 11 ing after the item relating to section 2883 the following
 12 new item:

“2883a. Funds for housing allowances of members of the armed forces assigned
 to certain military family housing units.”.

13 **SEC. 2806. AMENDMENT OF FEDERAL ACQUISITION REGU-**
 14 **LATION TO TREAT FINANCING COSTS AS AL-**
 15 **LOWABLE EXPENSES UNDER CONTRACTS**
 16 **FOR UTILITY SERVICES FROM UTILITY SYS-**
 17 **TEMS CONVEYED UNDER PRIVATIZATION INI-**
 18 **TIATIVE.**

19 (a) DETERMINATION OF ADVISABILITY OF AMEND-
 20 MENT.—Not later than 90 days after the date of the en-
 21 actment of this Act, the Secretary of Defense shall deter-
 22 mine whether or not it is advisable to modify the Federal
 23 Acquisition Regulation in order to provide that a contract
 24 for utility services from a utility system conveyed under

1 section 2688(a) of title 10, United States Code, may in-
 2 clude terms and conditions that recognize financing costs,
 3 such as return on equity and interest on debt, as an allow-
 4 able expense when incurred by the conveyee of the utility
 5 system to acquire, operate, renovate, replace, upgrade, re-
 6 pair, and expand the utility system.

7 (b) REPORT.—If as of the date that is 180 days after
 8 the date of the enactment of this Act, the Federal Acquisi-
 9 tion Regulatory Council has not modified the Federal Ac-
 10 quisition Regulation to provide that a contract described
 11 in subsection (a) may include terms and conditions de-
 12 scribed in that subsection, or otherwise taken action to
 13 provide that a contract referred to in that subsection may
 14 include terms and conditions described in that subsection,
 15 the Secretary shall submit to Congress on that date a re-
 16 port setting forth a justification for the failure to take
 17 such actions.

18 **Subtitle B—Real Property and** 19 **Facilities Administration**

20 **SEC. 2811. AVAILABILITY OF PROCEEDS OF SALES OF DE-** 21 **PARTMENT OF DEFENSE PROPERTY FROM** 22 **CLOSED MILITARY INSTALLATIONS.**

23 Section 204(h)(2) of the Federal Property and Ad-
 24 ministrative Services Act of 1949 (40 U.S.C. 485(h)(2))

1 is amended by striking subparagraphs (A) and (B) and
 2 inserting the following new subparagraphs:

3 “(A) In the case of property located at a mili-
 4 tary installation that is closed, such amount shall be
 5 available for facility maintenance and repair or envi-
 6 ronmental restoration by the military department
 7 that had jurisdiction over such property before the
 8 closure of the military installation.

9 “(B) In the case of property located at any
 10 other military installation—

11 “(i) 50 percent of such amount shall be
 12 available for facility maintenance and repair or
 13 environmental restoration at the military instal-
 14 lation where such property was located before it
 15 was disposed of or transferred; and

16 “(ii) 50 percent of such amount shall be
 17 available for facility maintenance and repair
 18 and for environmental restoration by the mili-
 19 tary department that had jurisdiction over such
 20 property before it was disposed of or trans-
 21 ferred.”.

22 **SEC. 2812. PILOT EFFICIENT FACILITIES INITIATIVE.**

23 (a) INITIATIVE AUTHORIZED.—The Secretary of De-
 24 fense may carry out a pilot program for purposes of deter-
 25 mining the potential for increasing the efficiency and ef-

1 fectiveness of the operation of military installations. The
 2 pilot program shall be known as the “Pilot Efficient Fa-
 3 cilities Initiative” (in this section referred to as the “Ini-
 4 tiative”).

5 (b) DESIGNATION OF PARTICIPATING FACILITIES.—

6 (1) The Secretary may designate up to two installations
 7 of each military department for participation in the Initia-
 8 tive.

9 (2) The Secretary shall transmit to the Committees
 10 on Armed Services of the Senate and the House of Rep-
 11 resentatives a written notification of each installation pro-
 12 posed to be included in the Initiative not less than 30 days
 13 before taking any action to carry out the Initiative at such
 14 installation.

15 (3) The Secretary shall include in the notification re-
 16 garding an installation designated for participation in the
 17 Initiative a management plan for the Initiative at the in-
 18 stallation. Each management plan for an installation shall
 19 include the following:

20 (A) A description of—

21 (i) each proposed lease of real or personal
 22 property located at the installation;

23 (ii) each proposed disposal of real or per-
 24 sonal property located at the installation;

1 (iii) each proposed leaseback of real or per-
 2 sonal property leased or disposed of at the in-
 3 stallation;

4 (iv) each proposed conversion of services at
 5 the installation from Federal Government per-
 6 formance to non-Federal Government perform-
 7 ance, including performance by contract with a
 8 State or local government or private entity or
 9 performance as consideration for the lease or
 10 disposal of property at the installation; and

11 (v) each other action proposed to be taken
 12 to improve mission effectiveness and reduce the
 13 cost of providing quality installation support at
 14 the installation.

15 (B) With respect to each proposed action de-
 16 scribed under subparagraph (A)—

17 (i) an estimate of the savings expected to
 18 be achieved as a result of the action;

19 (ii) each regulation not required by statute
 20 that is proposed to be waived to implement the
 21 action; and

22 (iii) each statute or regulation required by
 23 statute that is proposed to be waived to imple-
 24 ment the action, including—

1 (I) an explanation of the reasons for
2 the proposed waiver; and

3 (II) a description of the action to be
4 taken to protect the public interests served
5 by the statute or regulation, as the case
6 may be, proposed to be waived in the event
7 of the waiver.

8 (C) A description of the steps taken by the Sec-
9 retary to consult with employees at the facility, and
10 communities in the vicinity of the facility, regarding
11 the Initiative at the installation.

12 (D) Measurable criteria for the evaluation of
13 the effects of the actions to be taken pursuant to the
14 Initiative at the installation.

15 (c) WAIVER OF STATUTORY REQUIREMENTS.—The
16 Secretary of Defense may waive any statute or regulation
17 required by statute for purposes of carrying out the Initia-
18 tive only if specific authority for the waiver of such statute
19 or regulation is provided in an Act that is enacted after
20 the date of the enactment of this Act.

21 (d) INSTALLATION EFFICIENCY PROJECT FUND.—
22 (1) There is established on the books of the Treasury a
23 fund to be known as the “Installation Efficiency Project
24 Fund” (in this subsection referred to as the “Fund”).

1 (2) There shall be deposited in the Fund all cash
2 rents, payments, reimbursements, proceeds and other
3 amounts from leases, sales, or other conveyances or trans-
4 fers, joint activities, and other actions taken under the Ini-
5 tiative.

6 (3) To the extent provided in advance in authoriza-
7 tion Acts and appropriations Acts, amounts in the Fund
8 shall be available to the Secretary concerned for purposes
9 of managing capital assets and providing support services
10 at installations participating in the Initiative. Amounts in
11 the Fund may be used for such purposes in addition to,
12 or in combination with, other amounts authorized to ap-
13 propriated for such purposes. Amounts in the Fund shall
14 be available for such purposes for five years.

15 (4) Subject to applicable financial management regu-
16 lations, the Secretary of Defense shall structure the Fund,
17 and provide administrative policies and procedures, in
18 order provide proper control of deposits in and disburse-
19 ments from the Fund.

20 (e) TERMINATION.—The authority of the Secretary
21 to carry out the Initiative shall terminate four years after
22 the date of the enactment of this Act.

23 (f) REPORT.—Not later than three years after the
24 date of the enactment of this Act, the Secretary shall sub-
25 mit to the committees of Congress referred to in sub-

1 section (b)(2) a report on the Initiative. The report shall
 2 contain a description of the actions taken under the Initia-
 3 tive and include such other information, including rec-
 4 ommendations, as the Secretary considers appropriate in
 5 light of the Initiative.

6 **SEC. 2813. DEMONSTRATION PROGRAM ON REDUCTION IN**
 7 **LONG-TERM FACILITY MAINTENANCE COSTS.**

8 (a) **AUTHORITY TO CARRY OUT PROGRAM.**—Subject
 9 to the provisions of this section, the Secretary of the Army
 10 may conduct a demonstration program to assess the feasi-
 11 bility and desirability of including facility maintenance re-
 12 quirements in construction contracts for military construc-
 13 tion projects. The purpose of the demonstration program
 14 is to determine whether or not such requirements facilitate
 15 reductions in the long-term facility maintenance costs of
 16 the military departments.

17 (b) **CONTRACTS.**—(1) The demonstration program
 18 shall cover contracts entered into on or after the date of
 19 the enactment of this Act.

20 (2) Not more than three contracts entered into in any
 21 year may contain requirements referred to in subsection
 22 (a) for the purpose of the demonstration program.

23 (c) **EFFECTIVE PERIOD OF REQUIREMENTS.**—The
 24 effective period of a requirement referred to in subsection
 25 (a) that is included in a contract for the purpose of the

1 demonstration program shall be any period elected by the
2 Secretary not in excess of five years.

3 (d) REPORTS.—(1) Not later than January 31, 2003,
4 and annually thereafter until the year following the ces-
5 sation of effectiveness of any requirements referred to in
6 subsection (a) in contracts under the demonstration pro-
7 gram, the Secretary shall submit to the congressional de-
8 fense committees a report on the demonstration program.

9 (2) Each report under paragraph (1) shall include,
10 for the year covered by such report, the following:

11 (A) A description of the contracts entered into
12 during the year that contain requirements referred
13 to in subsection (a) for the purpose of the dem-
14 onstration program.

15 (B) The experience of the Secretary during the
16 year with respect to any contracts containing re-
17 quirements referred to in subsection (a) for the pur-
18 pose of the demonstration program that were in
19 force during the year.

20 (3) The final report under this subsection shall in-
21 clude, in addition to the matters required under paragraph
22 (2), an evaluation of the demonstration program and any
23 recommendations, including recommendations for the ter-
24 mination, continuation, or expansion of the demonstration
25 program, that the Secretary considers appropriate.

1 (e) EXPIRATION.—The authority under subsection
 2 (a) to include requirements referred to in that subsection
 3 in contracts under the demonstration program shall expire
 4 on September 30, 2006.

5 (f) FUNDING.—Amounts authorized to be appro-
 6 priated for the Army for a fiscal year for military con-
 7 struction shall be available for the demonstration program
 8 under this section in such fiscal year.

9 **Subtitle C—Land Conveyances**

10 **SEC. 2821. LAND CONVEYANCE, ENGINEER PROVING** 11 **GROUND, FORT BELVOIR, VIRGINIA.**

12 (a) CONVEYANCE AUTHORIZED.—The Secretary of
 13 the Army may convey to the Commonwealth of Virginia
 14 (in this section referred to as the “Commonwealth”) all
 15 right, title, and interest of United States in and to two
 16 parcels of real property, including any improvements
 17 thereon, located at the Engineer Proving Ground, Fort
 18 Belvoir, Virginia, as follows:

19 (1) The parcel, consisting of approximately 170
 20 acres, that is to be used for a portion of the Fairfax
 21 County Parkway, including for construction of that
 22 portion of the parkway.

23 (2) The parcel, consisting of approximately
 24 11.45 acres, that is subject to an easement pre-
 25 viously granted to the Commonwealth as Army ease-

1 ment DACA 31–3–96–440 for the construction of a
 2 portion of Interstate Highway 95.

3 (b) CONSIDERATION.—As consideration for the con-
 4 veyance under subsection (a), the Commonwealth shall—

5 (1) design and construct, at its expense and for
 6 public benefit, the portion of the Fairfax County
 7 Parkway through the Engineer Proving Ground;

8 (2) provide a conceptual design for eventual in-
 9 corporation and construction by others of access into
 10 the Engineer Proving Ground at the Rolling Road
 11 Interchange from Fairfax County Parkway as speci-
 12 fied in Virginia Department of Transportation
 13 Project #R000–029–249, C514;

14 (3) provide such easements or rights of way for
 15 utilities under or across the Fairfax County Park-
 16 way as the Secretary considers appropriate for the
 17 optimum development of the Engineer Proving
 18 Ground; and

19 (4) pay the United States an amount, jointly
 20 determined by the Secretary and the Commonwealth,
 21 appropriate to cover the costs of constructing a re-
 22 placement building for building 5089 located on the
 23 Engineer Proving Ground.

24 (c) RESPONSIBILITY FOR ENVIRONMENTAL CLEAN-
 25 UP.—The Secretary shall retain liability under the Com-

1 prehensive Environmental Response, Compensation, and
2 Liability Act of 1980 (42 U.S.C. 9601 et seq.), and any
3 other applicable environmental statute or regulation, for
4 any environmental hazard on the property conveyed under
5 subsection (a) as of the date of the conveyance under that
6 subsection.

7 (d) ACCEPTANCE AND DISPOSITION OF FUNDS.—(1)
8 The Secretary of the Army may accept the funds paid by
9 the Commonwealth as consideration under subsection
10 (b)(4) and shall credit the accepted funds to the appro-
11 priation or appropriations that are appropriate for paying
12 the costs of the replacement of Building 5089, located on
13 the Engineer Proving Ground, Fort Belvoir, Virginia, con-
14 sistent with paragraphs (2) and (3) of this subsection.

15 (2) Funds accepted under paragraph (1) shall be
16 available, until expended, for the replacement of Building
17 5089.

18 (3) Funds appropriated pursuant to the authorization
19 of appropriations in section 301(1), and funds appro-
20 priated pursuant to the authorization of appropriations in
21 section 2104(a)(4), shall be available in accordance with
22 section 2805 of title 10, United States Code, for the ex-
23 cess, if any, of the cost of the replacement of Building
24 5089 over the amount available for such project under
25 paragraph (2).

1 (e) DESCRIPTION OF PROPERTY.—(1) The exact
 2 acreage and legal description of the real property to be
 3 conveyed under subsection (a)(1) shall be determined by
 4 a survey satisfactory to the Secretary. The cost of the sur-
 5 vey shall be borne by the Commonwealth.

6 (2) The exact acreage and legal description of the real
 7 property to be conveyed under subsection (a)(2) are as set
 8 forth in Army easement DACA 31–3–96–440.

9 (f) ADDITIONAL TERMS AND CONDITIONS.—The Sec-
 10 retary may require such additional terms and conditions
 11 in connection with the conveyance under subsection (a) as
 12 the Secretary considers appropriate to protect the inter-
 13 ests of the United States.

14 **SEC. 2822. MODIFICATION OF AUTHORITY FOR CONVEY-**
 15 **ANCE OF NAVAL COMPUTER AND TELE-**
 16 **COMMUNICATIONS STATION, CUTLER, MAINE.**

17 Section 2853(a) of the Military Construction Author-
 18 ization Act for Fiscal Year 2001 (division B of the Floyd
 19 D. Spence National Defense Authorization Act for Fiscal
 20 Year 2001 (as enacted by Public Law 106–398); 114 Stat.
 21 1654A–430) is amended by inserting “any or” before “all
 22 right”.

1 **SEC. 2823. LAND TRANSFER AND CONVEYANCE, NAVAL SE-**
2 **CURITY GROUP ACTIVITY, WINTER HARBOR,**
3 **MAINE.**

4 (a) **TRANSFER OF ADMINISTRATIVE JURISDIC-**
5 **TION.**—(1) The Secretary of the Navy may transfer to the
6 Secretary of the Interior administrative jurisdiction of a
7 parcel of real property, including any improvements there-
8 on and appurtenances thereto, consisting of approximately
9 26 acres as generally depicted as Tract 15–116 on the
10 map entitled “Acadia National Park Schoodic Point
11 Area”, numbered 123/80,418 and dated May 2001. The
12 map shall be on file and available for inspection in the
13 appropriate offices of the National Park Service.

14 (2) The transfer authorized by this subsection shall
15 occur, if at all, concurrently with the reversion of adminis-
16 trative jurisdiction of a parcel of real property consisting
17 of approximately 71 acres, as depicted as Tract 15–115
18 on the map referred to in paragraph (1), from the Sec-
19 retary of the Navy to the Secretary of the Interior as au-
20 thorized by Public Law 80–260 (61 Stat. 519) and to be
21 executed on or about June 30, 2002.

22 (b) **CONVEYANCE AUTHORIZED.**—The Secretary of
23 the Navy may convey, without consideration, to the State
24 of Maine, any political subdivision of the State of Maine,
25 or any tax-supported agency in the State of Maine, all
26 right, title, and interest of the United States in and to

1 any of the parcels of real property, including any improve-
2 ments thereon and appurtenances thereto, consisting of
3 approximately 485 acres and comprising the former facili-
4 ties of the Naval Security Group Activity, Winter Harbor,
5 Maine, located in Hancock County, Maine, less the real
6 property described in subsection (a)(1), for the purpose
7 of economic redevelopment.

8 (c) TRANSFER OF PERSONAL PROPERTY.—The Sec-
9 retary of the Navy may transfer, without consideration,
10 to the Secretary of the Interior in the case of the real
11 property transferred under subsection (a), or to any recipi-
12 ent of such real property in the case of real property con-
13 veyed under subsection (b), any or all personal property
14 associated with such real property so transferred or con-
15 veyed, including any personal property required to con-
16 tinue the maintenance of the infrastructure of such real
17 property (including the generators for an uninterrupted
18 power supply in building 154 at the Corea site).

19 (d) MAINTENANCE OF PROPERTY PENDING CONVEY-
20 ANCE.—(1) The Secretary of the Navy shall maintain any
21 real property, including any improvements thereon, appur-
22 tenances thereto, and supporting infrastructure, to be con-
23 veyed under subsection (b) in accordance with the protec-
24 tion and maintenance standards specified in section 101—

1 47.4913 of title 41, Code of Federal Regulations, until the
2 earlier of—

3 (A) the date of the conveyance of such real
4 property under subsection (b); or

5 (B) September 30, 2003.

6 (2) The requirement in paragraph (1) shall not be
7 construed as authority to improve the real property, im-
8 provements, and infrastructure referred to in that para-
9 graph so as to bring such real property, improvements,
10 or infrastructure into compliance with any zoning or prop-
11 erty maintenance codes or to repair any damage to such
12 improvements and infrastructure through an Act of God.

13 (e) INTERIM LEASE.—(1) Until such time as any par-
14 cel of real property to be conveyed under subsection (b)
15 is conveyed by deed under that subsection, the Secretary
16 of the Navy may lease such parcel to any person or entity
17 determined by the Secretary to be an appropriate lessee
18 of such parcel.

19 (2) The amount of rent for a lease under paragraph
20 (1) shall be the amount determined by the Secretary to
21 be appropriate, and may be an amount less than the fair
22 market value of the lease.

23 (3) Notwithstanding any other provision of law, the
24 Secretary shall credit any amount received for a lease of
25 real property under paragraph (1) to the appropriation or

1 account providing funds for the operation and mainte-
2 nance of such property or for the procurement of utility
3 services for such property. Amounts so credited shall be
4 merged with funds in the appropriation or account to
5 which credited, and shall be available for the same pur-
6 poses, and subject to the same conditions and limitations,
7 as the funds with which merged.

8 (f) REIMBURSEMENT FOR ENVIRONMENTAL AND
9 OTHER ASSESSMENTS.—(1) The Secretary of the Navy
10 may require each recipient of real property conveyed under
11 subsection (b) to reimburse the Secretary for the costs in-
12 curred by the Secretary for any environmental assessment,
13 study, or analysis carried out by the Secretary with re-
14 spect to such property before completing the conveyance
15 under that subsection.

16 (2) The amount of any reimbursement required under
17 paragraph (1) shall be determined by the Secretary, but
18 may not exceed the cost of the assessment, study, or anal-
19 ysis for which reimbursement is required.

20 (3) Section 2695(c) of title 10, United States Code,
21 shall apply to any amount received by the Secretary under
22 this subsection.

23 (g) DESCRIPTION OF PROPERTY.—The exact acreage
24 and legal description of the real property transferred
25 under subsection (a), and each parcel of real property con-

veyed under subsection (b), shall be determined by a survey satisfactory to the Secretary of the Navy. The cost of any survey under the preceding sentence for real property conveyed under subsection (b) shall be borne by the recipient of the real property.

(h) **ADDITIONAL TERMS AND CONDITIONS.**—The Secretary of the Navy may require such additional terms and conditions in connection with any conveyance under subsection (b), and any lease under subsection (e), as the Secretary considers appropriate to protect the interests of the United States.

SEC. 2824. CONVEYANCE OF SEGMENT OF LORING PETROLEUM PIPELINE, MAINE, AND RELATED EASEMENTS.

(a) **CONVEYANCE AUTHORIZED.**—The Secretary of the Air Force may convey, without consideration, to the Loring Development Authority, Maine (in this section referred to as the “Authority”), all right, title, and interest of the United States in and to the segment of the Loring Petroleum (POL) Pipeline, Maine, consisting of approximately 27 miles in length and running between the Searsport terminal and Bangor Air National Guard Base.

(b) **RELATED EASEMENTS.**—As part of the conveyance authorized by subsection (a), the Secretary may convey to the Authority, without consideration, all right, title,

1 and interest of the United States in and to any easements
2 or rights-of-way necessary for the operation or mainte-
3 nance of the segment of pipeline conveyed under that sub-
4 section.

5 (c) REIMBURSEMENT FOR COSTS OF CONVEY-
6 ANCE.—(1) The Authority shall reimburse the Secretary
7 for the costs incurred by the Secretary for any environ-
8 mental assessment, study, or analysis, or for any other
9 expense incurred by the Secretary, for a conveyance au-
10 thorized by this section.

11 (2) The amount of the reimbursement under para-
12 graph (1) for an activity shall be determined by the Sec-
13 retary, but may not exceed the cost of the activity.

14 (3) Section 2695(c) of title 10, United States Code,
15 shall apply to any amount received by the Secretary under
16 this subsection.

17 (d) DESCRIPTION OF PROPERTY.—The exact acreage
18 and legal description of the segment of pipeline conveyed
19 under subsection (a), and of any easements or rights-of-
20 way conveyed under subsection (b), shall be determined
21 by surveys and other means satisfactory to the Secretary.
22 The cost of any survey or other services performed at the
23 direction of the Secretary under the preceding sentence
24 shall be borne by the Authority.

1 (e) ADDITIONAL TERMS AND CONDITIONS.—The
 2 Secretary may require such additional terms and condi-
 3 tions in connection with the conveyances under this section
 4 as the Secretary considers appropriate to protect the inter-
 5 ests of the United States.

6 **SEC. 2825. LAND CONVEYANCE, PETROLEUM TERMINAL**
 7 **SERVING FORMER LORING AIR FORCE BASE**
 8 **AND BANGOR AIR NATIONAL GUARD BASE,**
 9 **MAINE.**

10 (a) CONVEYANCE AUTHORIZED.—(1) The Secretary
 11 of the Air Force may convey to the Maine Port Authority
 12 of the State of Maine (in this section referred to as the
 13 “Authority”) all right, title, and interest of the United
 14 States in and to the Petroleum Terminal (POL) at Mack
 15 Point, Searsport, Maine, which served former Loring Air
 16 Force Base and Bangor Air National Guard Base, Maine.

17 (2) The conveyance under paragraph (1) may include
 18 the following:

19 (A) A parcel of real property, including any im-
 20 provements thereon, consisting of approximately 20
 21 acres and comprising a portion of the Petroleum
 22 Terminal.

23 (B) Any additional fuel tanks, other improve-
 24 ments, and equipment located on the 43-acre parcel
 25 of property adjacent to the property described in

1 subparagraph (A), and currently leased by the Sec-
2 retary, which constitutes the remaining portion of
3 the Petroleum Terminal.

4 (b) CONDITION OF CONVEYANCE.—The Secretary
5 may not make the conveyance under subsection (a) unless
6 the Authority agrees to utilize the property to be conveyed
7 under that subsection solely for economic development
8 purposes.

9 (c) CONSIDERATION.—(1) As consideration for the
10 conveyance under subsection (a), the Authority shall lease
11 to the Air Force approximately one acre of the real prop-
12 erty conveyed under that subsection, together with any im-
13 provements thereon, that constitutes the Aerospace Fuels
14 Laboratory (also known as Building 14).

15 (2) The real property leased under this subsection
16 shall include the parking lot, outbuildings, and other im-
17 provements associated with the Aerospace Fuels Labora-
18 tory and such easements of ingress and egress to the real
19 property, including easements for utilities, as are required
20 for the operations of the Aerospace Fuels Laboratory.

21 (3) As part of the lease of real property under this
22 subsection, the Authority shall maintain around the real
23 property for the term of the lease a zone, not less than
24 75 feet in depth, free of improvements or encumbrances.

1 (4) The lease under this subsection shall be without
2 cost to the United States.

3 (5) The term of the lease under this subsection may
4 not exceed 25 years. If operations at the Aerospace Fuels
5 Laboratory cease before the expiration of the term of the
6 lease otherwise provided for under this subsection, the
7 lease shall be deemed to have expired upon the cessation
8 of such operations.

9 (d) CONVEYANCE CONTINGENT ON EXPIRATION OF
10 LEASE OF FUEL TANKS.—The Secretary may not make
11 the conveyance under subsection (a) until the expiration
12 of the lease referred to in paragraph (2)(B) of that sub-
13 section.

14 (e) ENVIRONMENTAL REMEDIATION.—The Secretary
15 may not make the conveyance under subsection (a) until
16 the completion of any environmental remediation required
17 by law with respect to the property to be conveyed under
18 that subsection.

19 (f) REIMBURSEMENT FOR COSTS OF CONVEYANCE.—
20 (1) The Authority shall reimburse the Secretary for the
21 costs incurred by the Secretary for any environmental as-
22 sessment, study, or analysis, or for any other expense in-
23 curred by the Secretary, for the conveyance authorized by
24 subsection (a).

1 (2) The amount of the reimbursement under para-
 2 graph (1) for an activity shall be determined by the Sec-
 3 retary, but may not exceed the cost of the activity.

4 (3) Section 2695(c) of title 10, United States Code,
 5 shall apply to any amount received by the Secretary under
 6 this subsection.

7 (g) DESCRIPTION OF PROPERTY.—The exact acreage
 8 and legal description of the real property conveyed under
 9 subsection (a) shall be determined by a survey satisfactory
 10 to the Secretary. The cost of the survey shall be borne
 11 by the Authority.

12 (h) ADDITIONAL TERMS AND CONDITIONS.—The
 13 Secretary may require such additional terms and condi-
 14 tions in connection with the conveyance under subsection
 15 (a), and the lease under subsection (c), as the Secretary
 16 considers appropriate to protect the interests of the
 17 United States.

18 **SEC. 2826. LAND CONVEYANCE, NAVAL WEAPONS INDUS-**
 19 **TRIAL RESERVE PLANT, TOLEDO, OHIO.**

20 (a) CONVEYANCE AUTHORIZED.—(1) The Secretary
 21 of the Navy may convey, without consideration, to the To-
 22 ledo-Lucas County Port Authority, Ohio (in this section
 23 referred to as the “Port Authority”), any or all right, title,
 24 and interest of the United States in and to a parcel of
 25 real property, including any improvements thereon, con-

1 sisting of approximately 29 acres and comprising the
2 Naval Weapons Industrial Reserve Plant, Toledo, Ohio.

3 (2) The Secretary may include in the conveyance
4 under paragraph (1) such facilities, equipment, fixtures,
5 and other personal property located or based on the parcel
6 conveyed under that paragraph, or used in connection with
7 the parcel, as the Secretary determines to be excess to the
8 Navy.

9 (b) LEASE AUTHORITY.—Until such time as the real
10 property described in subsection (a)(1) is conveyed by
11 deed, the Secretary may lease such real property, and any
12 personal property described in subsection (a)(2), to the
13 Port Authority in exchange for such security, fire protec-
14 tion, and maintenance services as the Secretary considers
15 appropriate.

16 (c) CONDITIONS OF CONVEYANCE.—The conveyance
17 under subsection (a), and any lease under subsection (b),
18 shall be subject to the conditions that the Port
19 Authority—

20 (1) accept the real and personal property con-
21 cerned in their condition at the time of the convey-
22 ance or lease, as the case may be; and

23 (2) except as provided in subsection (d), use the
24 real and personal property concerned, whether di-
25 rectly or through an agreement with a public or pri-

1 vate entity, for economic development or such other
2 public purposes as the Port Authority considers ap-
3 propriate.

4 (d) SUBSEQUENT USE.—(1) The Port Authority
5 may, following entry into a lease under subsection (b) for
6 real property, personal property, or both, sublease such
7 property for a purpose set forth in subsection (c)(2) if the
8 Secretary approves the sublease of such property for that
9 purpose.

10 (2) The Port Authority may, following the conveyance
11 of real property under subsection (a), lease or reconvey
12 such real property, and any personal property conveyed
13 with such real property under that subsection, for a pur-
14 pose set forth in subsection (c)(2).

15 (e) REIMBURSEMENT FOR COSTS OF CONVEYANCE
16 AND LEASE.—(1) The Port Authority shall reimburse the
17 Secretary for the costs incurred by the Secretary for any
18 environmental assessment, study, or analysis, or for any
19 other expense incurred by the Secretary, for the convey-
20 ance authorized by subsection (a) or any lease authorized
21 by subsection (b).

22 (2) The amount of the reimbursement under para-
23 graph (1) for an activity shall be determined by the Sec-
24 retary, but may not exceed the cost of the activity.

1 (3) Section 2695(c) of title 10, United States Code,
2 shall apply to any amount received by the Secretary under
3 this subsection.

4 (f) DESCRIPTION OF PROPERTY.—The exact acreage
5 and legal of the real property to be conveyed under sub-
6 section (a)(1), and an appropriate inventory or other de-
7 scription of the personal property to be conveyed under
8 subsection (a)(2), shall be determined by a survey and
9 other means satisfactory to the Secretary.

10 (g) ADDITIONAL TERMS AND CONDITIONS.—The
11 Secretary may require such additional terms and condi-
12 tions in connection with the conveyance under subsection
13 (a)(1), and any lease under subsection (b), as the Sec-
14 retary considers appropriate to protect the interests of the
15 United States.

16 **SEC. 2827. MODIFICATION OF LAND CONVEYANCE,**
17 **MUKILTEO TANK FARM, EVERETT, WASH-**
18 **INGTON.**

19 (a) MODIFICATION.—Section 2866 of the Military
20 Construction Authorization Act for Fiscal Year 2001 (di-
21 vision B of the Floyd D. Spence National Defense Author-
22 ization Act for Fiscal Year 2001 (as enacted by Public
23 Law 106–398); 114 Stat. 436) is amended—

24 (1) in subsection (a), by striking “22 acres”
25 and inserting “20.9 acres”;

1 (2) by redesignating subsections (b), (c), (d),
 2 and (e) as subsections (c), (d), (e), and (f), respec-
 3 tively; and

4 (3) by inserting after subsection (a) the fol-
 5 lowing new subsection (b):

6 “(b) TRANSFER OF JURISDICTION.—(1) At the same
 7 time the Secretary of the Air Force makes the conveyance
 8 authorized by subsection (a), the Secretary shall transfer
 9 to the Secretary of Commerce administrative jurisdiction
 10 over a parcel of real property, including improvements
 11 thereon, consisting of approximately 1.1 acres located at
 12 the Mukilteo Tank Farm and including the National Ma-
 13 rine Fisheries Service Mukilteo Research Center facility.

14 “(2) The Secretary of Commerce may, with the con-
 15 sent of the Port, exchange with the Port all or any portion
 16 of the property received under paragraph (1) for a parcel
 17 of real property of equal area at the Mukilteo Tank Farm
 18 that is owned by the Port.

19 “(3) The Secretary of Commerce shall administer the
 20 property under the jurisdiction of the Secretary under this
 21 subsection through the Administrator of the National Oce-
 22 anic and Atmospheric Administration as part of the Ad-
 23 ministration.

24 “(4) The Administrator shall use the property under
 25 the jurisdiction of the Secretary of Commerce under this

1 subsection as the location of a research facility, and may
 2 construct a new facility on the property for such research
 3 purposes as the Administrator considers appropriate.

4 “(5)(A) If after the 12-year period beginning on the
 5 date of the enactment of the National Defense Authoriza-
 6 tion Act for Fiscal Year 2002, the Administrator is not
 7 using any portion of the real property under the jurisdic-
 8 tion of the Secretary of Commerce under this subsection,
 9 the Administrator shall convey, without consideration, to
 10 the Port all right, title, and interest in and to such portion
 11 of the real property, including improvements thereon.

12 “(B) The Port shall use any real property conveyed
 13 to the Port under this paragraph for the purpose specified
 14 in subsection (a).”.

15 (b) CONFORMING AMENDMENT.—The section head-
 16 ing for that section is amended to read as follows:

17 **“SEC. 2866. LAND CONVEYANCE AND TRANSFER, MUKILTEO**
 18 **TANK FARM, EVERETT, WASHINGTON.”.**

19 **SEC. 2828. LAND CONVEYANCES, CHARLESTON AIR FORCE**
 20 **BASE, SOUTH CAROLINA.**

21 (a) CONVEYANCE TO STATE OF SOUTH CAROLINA
 22 AUTHORIZED.—The Secretary of the Air Force may con-
 23 vey, without consideration, to the State of South Carolina
 24 (in this section referred to as the “State”), all right, title,
 25 and interest of the United States in and to a portion (as

1 determined under subsection (c)) of the real property, in-
 2 cluding any improvements thereon, consisting of approxi-
 3 mately 24 acres at Charleston Air Force Base, South
 4 Carolina, and comprising the Air Force Family Housing
 5 Annex. The purpose of the conveyance is to facilitate the
 6 Remount Road Project.

7 (b) CONVEYANCE TO CITY OF NORTH CHARLESTON
 8 AUTHORIZED.—The Secretary may convey, without con-
 9 sideration, to the City of North Charleston, South Caro-
 10 lina (in this section referred to as the “City”), all right,
 11 title, and interest of the United States in and to a portion
 12 (as determined under subsection (c)) of the real property,
 13 including any improvements thereon, referred to in sub-
 14 section (a). The purpose of the conveyance is to permit
 15 the use of the property by the City for municipal purposes.

16 (c) DETERMINATION OF PORTIONS OF PROPERTY TO
 17 BE CONVEYED.—(1) Subject to paragraph (2), the Sec-
 18 retary, the State, and the City shall jointly determine the
 19 portion of the property referred to in subsection (a) that
 20 is to be conveyed to the State under subsection (a) and
 21 the portion of the property that is to be conveyed to the
 22 City under subsection (b).

23 (2) In determining under paragraph (1) the portions
 24 of property to be conveyed under this section, the portion
 25 to be conveyed to the State shall be the minimum portion

1 of the property required by the State for the purpose spec-
2 ified in subsection (a), and the portion to be conveyed to
3 the City shall be the balance of the property.

4 (d) LIMITATION ON CONVEYANCES.—The Secretary
5 may not carry out the conveyance of property authorized
6 by subsection (a) or subsection (b) until the completion
7 of an assessment of environmental contamination of the
8 property authorized to be conveyed by such subsection for
9 purposes of determining responsibility for environmental
10 remediation of such property.

11 (e) DESCRIPTION OF PROPERTY.—The exact acreage
12 and legal description of the real property to be conveyed
13 under subsections (a) and (b) shall be determined by sur-
14 veys satisfactory to the Secretary. The cost of the survey
15 for the property to be conveyed under subsection (a) shall
16 be borne by the State, and the cost of the survey for the
17 property to be conveyed under subsection (b) shall be
18 borne by the City.

19 (f) ADDITIONAL TERMS AND CONDITIONS.—The Sec-
20 retary may require such additional terms and conditions
21 in connection with the conveyances under subsections (a)
22 and (b) as the Secretary considers appropriate to protect
23 the interests of the United States.

1 **SEC. 2829. LAND CONVEYANCE, FORT DES MOINES, IOWA.**

2 (a) CONVEYANCE AUTHORIZED.—The Secretary of
3 the Army may convey, without consideration, to Fort Des
4 Moines Memorial Park, Inc., a nonprofit organization (in
5 this section referred to as the “Memorial Park”), all right,
6 title, and interest of the United States in and to a parcel
7 of real property, including improvements thereon, con-
8 sisting of approximately 4.6 acres located at Fort Des
9 Moines United States Army Reserve Center, Des Moines,
10 Iowa, for the purpose of the establishment of the Fort Des
11 Moines Memorial Park and Education Center.

12 (b) CONDITION OF CONVEYANCE.—The conveyance
13 under subsection (a) shall be subject to the condition that
14 the Memorial Park use the property for museum and park
15 purposes.

16 (c) REVERSION.—If the Secretary determines at any
17 time that the real property conveyed under subsection (a)
18 is not being used for museum and park purposes, all right,
19 title, and interest in and to the real property, including
20 any improvements thereon, shall revert to the United
21 States, and the United States shall have the right of im-
22 mediate entry thereon.

23 (d) REIMBURSEMENT FOR COSTS OF CONVEY-
24 ANCE.—(1) The Memorial Park shall reimburse the Sec-
25 retary for the costs incurred by the Secretary for any envi-
26 ronmental assessment, study, or analysis, or for any other

1 expenses incurred by the Secretary, for the conveyance au-
 2 thorized in (a).

3 (2) The amount of the reimbursement under para-
 4 graph (1) for any activity shall be determined by the Sec-
 5 retary, but may not exceed the cost of such activity.

6 (3) Section 2695(c) of title 10 United States Code,
 7 shall apply to any amount received under this subsection.

8 (e) DESCRIPTION OF PROPERTY.—The exact acreage
 9 and legal description of the real property to be conveyed
 10 under subsection (a) shall be determined by survey satis-
 11 factory to the Secretary. The cost of the survey shall be
 12 borne by the Memorial Park.

13 (f) ADDITIONAL TERMS AND CONDITIONS.—The Sec-
 14 retary may require such additional terms and conditions
 15 in connection with the conveyance under subsection (a) as
 16 the Secretary considers appropriate to protect the inter-
 17 ests of the United States.

18 **SEC. 2830. LAND CONVEYANCES, CERTAIN FORMER MIN-**
 19 **UTEMAN III ICBM FACILITIES IN NORTH DA-**
 20 **KOTA.**

21 (a) CONVEYANCES REQUIRED.—(1) The Secretary of
 22 the Air Force may convey, without consideration, to the
 23 State Historical Society of North Dakota (in this section
 24 referred to as the “Historical Society”) all right, title, and
 25 interest of the United States in and to parcels of real

1 property, together with any improvements thereon, of the
2 Minuteman III ICBM facilities of the former 321st Missile
3 Group at Grand Forks Air Force Base, North Dakota,
4 as follows:

5 (A) The parcel consisting of the launch facility
6 designated “November–33”.

7 (B) The parcel consisting of the missile alert
8 facility and launch control center designated “Oscar-
9 O”.

10 (2) The purpose of the conveyance of the facilities
11 is to provide for the establishment of an historical site al-
12 lowing for the preservation, protection, and interpretation
13 of the facilities.

14 (b) CONSULTATION.—The Secretary shall consult
15 with the Secretary of State and the Secretary of Defense
16 in order to ensure that the conveyances required by sub-
17 section (a) are carried out in accordance with applicable
18 treaties.

19 (c) HISTORIC SITE.—The Secretary may, in coopera-
20 tion with the Historical Society, enter into one or more
21 cooperative agreements with appropriate public or private
22 entities or individuals in order to provide for the establish-
23 ment and maintenance of the historic site referred to in
24 subsection (a)(2).

1 **SEC. 2831. LAND ACQUISITION, PERQUIMANS COUNTY,**
2 **NORTH CAROLINA.**

3 The Secretary of the Navy may, using funds pre-
4 viously appropriated for such purpose, acquire any and all
5 right, title, and interest in and to a parcel of real property,
6 including improvements thereon, consisting of approxi-
7 mately 240 acres, or any portion thereof, in Perquimans
8 County, North Carolina, for purposes of including such
9 parcel in the Harvey Point Defense Testing Activity, Hert-
10 ford, North Carolina.

11 **SEC. 2832. LAND CONVEYANCE, ARMY RESERVE CENTER,**
12 **KEWAUNEE, WISCONSIN.**

13 (a) CONVEYANCE REQUIRED.—The Administrator of
14 General Services may convey, without consideration, to the
15 City of Kewaunee, Wisconsin (in this section referred to
16 as the “City”), all right, title, and interest of the United
17 States in and to a parcel of Federal real property, includ-
18 ing improvements thereon, that is located at 401 5th
19 Street in Kewaunee, Wisconsin, and contains an excess
20 Army Reserve Center. After such conveyance, the property
21 may be used and occupied only by the City, or by another
22 local or State government entity approved by the City.

23 (b) DESCRIPTION OF PROPERTY.—The exact acreage
24 and legal description of the real property to be conveyed
25 under subsection (a) shall be determined by a survey satis-

1 factory to the Administrator. The cost of the survey shall
 2 be borne by the City.

3 (c) REVERSIONARY INTEREST.—During the 20-year
 4 period beginning on the date the Administrator makes the
 5 conveyance under subsection (a), if the Administrator de-
 6 termines that the conveyed property is not being used and
 7 occupied in accordance with such subsection, all right,
 8 title, and interest in and to the property, including any
 9 improvements thereon, shall revert to the United States.
 10 Upon reversion, the United States shall immediately pro-
 11 ceed to a public sale of the property.

12 (d) ADDITIONAL TERMS AND CONDITIONS.—(1) The
 13 property shall not be used for commercial purposes.

14 (2) The Administrator may require such additional
 15 terms and conditions in connection with the conveyance
 16 under subsection (a) as the Administrator considers ap-
 17 propriate to protect the interests of the United States.

18 **SEC. 2833. TREATMENT OF AMOUNTS RECEIVED.**

19 Any net proceeds received by the United States as
 20 payment under subsection (c) of section 2832 shall be de-
 21 posited into the Land and Water Conservation Fund.

1 **Subtitle D—Other Matters**

2 **SEC. 2841. DEVELOPMENT OF UNITED STATES ARMY HERIT-** 3 **AGE AND EDUCATION CENTER AT CARLISLE** 4 **BARRACKS, PENNSYLVANIA.**

5 (a) **AUTHORITY TO ENTER INTO AGREEMENT.—**(1)
 6 The Secretary of the Army may enter into an agreement
 7 with the Military Heritage Foundation, a not-for-profit or-
 8 ganization, for the design, construction, and operation of
 9 a facility for the United States Army Heritage and Edu-
 10 cation Center at Carlisle Barracks, Pennsylvania.

11 (2) The facility referred to in paragraph (1) is to be
 12 used for curation and storage of artifacts, research facili-
 13 ties, classrooms, and offices, and for education and other
 14 activities, agreed to by the Secretary, relating to the herit-
 15 age of the Army. The facility may also be used to support
 16 such education and training as the Secretary considers ap-
 17 propriate.

18 (b) **DESIGN AND CONSTRUCTION.—**The Secretary
 19 may, at the election of the Secretary—

20 (1) accept funds from the Military Heritage
 21 Foundation for the design and construction of the
 22 facility referred to in subsection (a); or

23 (2) permit the Military Heritage Foundation to
 24 contract for the design and construction of the facil-
 25 ity.

1 (c) ACCEPTANCE OF FACILITY.—(1) Upon satisfac-
2 tory completion, as determined by the Secretary, of the
3 facility referred to in subsection (a), and upon the satis-
4 faction of any and all financial obligations incident thereto
5 by the Military Heritage Foundation, the Secretary shall
6 accept the facility from the Military Heritage Foundation,
7 and all right, title, and interest in and to the facility shall
8 vest in the United States.

9 (2) Upon becoming property of the United States, the
10 facility shall be under the jurisdiction of the Secretary.

11 (d) USE OF CERTAIN GIFTS.—(1) Under regulations
12 prescribed by the Secretary, the Commandant of the Army
13 War College may, without regard to section 2601 of title
14 10, United States Code, accept, hold, administer, invest,
15 and spend any gift, devise, or bequest of personnel prop-
16 erty of a value of \$250,000 or less made to the United
17 States if such gift, devise, or bequest is for the benefit
18 of the United States Army Heritage and Education Cen-
19 ter.

20 (2) The Secretary may pay or authorize the payment
21 of any reasonable and necessary expense in connection
22 with the conveyance or transfer of a gift, devise, or be-
23 quest under this subsection.

24 (e) ADDITIONAL TERMS AND CONDITIONS.—The
25 Secretary may require such additional terms and condi-

1 tions in connection with the agreement authorized to be
 2 entered into by subsection (a) as the Secretary considers
 3 appropriate to protect the interest of the United States.

4 **SEC. 2842. REPEAL OF LIMITATION ON COST OF RENOVA-**
 5 **TION OF PENTAGON RESERVATION.**

6 Section 2864 of the Military Construction Authoriza-
 7 tion Act for Fiscal Year 1997 (division B of Public Law
 8 104–201; 110 Stat. 2806) is repealed.

9 **SEC. 2843. NAMING OF PATRICIA C. LAMAR ARMY NA-**
 10 **TIONAL GUARD READINESS CENTER, OX-**
 11 **FORD, MISSISSIPPI.**

12 (a) DESIGNATION.—The Oxford Army National
 13 Guard Readiness Center, Oxford, Mississippi, shall be
 14 known and designated as the “Patricia C. Lamar Army
 15 National Guard Readiness Center”.

16 (b) REFERENCE TO READINESS CENTER.—Any ref-
 17 erence to the Oxford Army National Guard Readiness
 18 Center, Oxford, Mississippi, in any law, regulation, map,
 19 document, record, or other paper of the United States
 20 shall be considered to be a reference to the Patricia C.
 21 Lamar Army National Guard Readiness Center.

22 **SEC. 2844. CONSTRUCTION OF PARKING GARAGE AT FORT**
 23 **DERUSSY, HAWAII.**

24 (a) AUTHORITY TO ENTER INTO AGREEMENT FOR
 25 CONSTRUCTION.—The Secretary of the Army may author-

1 ize the Army Morale, Welfare, and Recreation Fund, a
 2 non-appropriated fund instrumentality of the Department
 3 of Defense (in this section referred to as the “Fund”),
 4 to enter into an agreement with a governmental, quasi-
 5 governmental, or commercial entity for the construction
 6 of a parking garage at Fort DeRussy, Hawaii.

7 (b) FORM OF AGREEMENT.—The agreement under
 8 subsection (a) may take the form of a non-appropriated
 9 fund contract, conditional gift, or other agreement deter-
 10 mined by the Fund to be appropriate for purposes of con-
 11 struction of the parking garage.

12 (c) USE OF PARKING GARAGE BY PUBLIC.—The
 13 agreement under subsection (a) may permit the use by the
 14 general public of the parking garage constructed under the
 15 agreement if the Fund determines that use of the parking
 16 garage by the general public will be advantageous to the
 17 Fund.

18 (d) TREATMENT OF REVENUES OF FUND PARKING
 19 GARAGES AT FORT DERUSSY.—Notwithstanding any
 20 other provision of law, amounts received by the Fund by
 21 reason of operation of parking garages at Fort DeRussy,
 22 including the parking garage constructed under the agree-
 23 ment under subsection (a), shall be treated as non-appro-
 24 priated funds, and shall accrue to the benefit of the Fund

1 or its component funds, including the Armed Forces
 2 Recreation Center—Hawaii (Hale Koa Hotel).

3 **SEC. 2845. ACCEPTANCE OF CONTRIBUTIONS TO REPAIR**
 4 **OR ESTABLISHMENT MEMORIAL AT PEN-**
 5 **TAGON RESERVATION.**

6 (a) **AUTHORITY TO ACCEPT CONTRIBUTIONS.**—The
 7 Secretary of Defense may accept contributions made for
 8 the purpose of establishing a memorial or assisting in the
 9 repair of the damage caused to the Pentagon Reservation
 10 by the terrorist attack that occurred on September 11,
 11 2001.

12 (b) **DEPOSIT OF CONTRIBUTIONS.**—The Secretary
 13 shall deposit contributions accepted under subsection (a)
 14 in the Pentagon Reservation Maintenance Revolving Fund
 15 established by section 2674(e) of title 10, United States
 16 Code.

17 **TITLE XXIX—DEFENSE BASE**
 18 **CLOSURE AND REALIGNMENT**
 19 **Subtitle A—Modifications of 1990**
 20 **Base Closure Law**

21 **SEC. 2901. AUTHORITY TO CARRY OUT BASE CLOSURE**
 22 **ROUND IN 2003.**

23 (a) **COMMISSION MATTERS.**—

24 (1) **APPOINTMENT.**—Section 2902(c)(1) of the
 25 Defense Base Closure and Realignment Act of 1990

1 (part A of title XXIX of Public Law 101–510; 10
 2 U.S.C. 2687 note) is amended—

3 (A) in subparagraph (B)—

4 (i) by striking “and” at the end of
 5 clause (ii);

6 (ii) by striking the period at the end
 7 of clause (iii) and inserting “; and”; and

8 (iii) by adding at the end the fol-
 9 lowing new clause:

10 “(iv) by no later than January 24, 2003, in the
 11 case of members of the Commission whose terms will
 12 expire at the end of the first session of the 108th
 13 Congress.”; and

14 (B) in subparagraph (C), by striking “or
 15 for 1995 in clause (iii) of such subparagraph”
 16 and inserting “, for 1995 in clause (iii) of that
 17 subparagraph, or for 2003 in clause (iv) of that
 18 subparagraph”.

19 (2) MEETINGS.—Section 2902(e) of that Act is
 20 amended by striking “and 1995” and inserting
 21 “1995, and 2003”.

22 (3) FUNDING.—Section 2902(k) of that Act is
 23 amended by adding at the end the following new
 24 paragraph (4):

1 “(4) If no funds are appropriated to the Commission
 2 by the end of the second session of the 107th Congress
 3 for the activities of the Commission in 2003, the Secretary
 4 may transfer to the Commission for purposes of its activi-
 5 ties under this part in that year such funds as the Com-
 6 mission may require to carry out such activities. The Sec-
 7 retary may transfer funds under the preceding sentence
 8 from any funds available to the Secretary. Funds so trans-
 9 ferred shall remain available to the Commission for such
 10 purposes until expended.”.

11 (4) TERMINATION.—Section 2902(l) of that Act
 12 is amended by striking “December 31, 1995” and
 13 inserting “December 31, 2003”.

14 (b) PROCEDURES.—

15 (1) FORCE-STRUCTURE PLAN.—Section 2903(a)
 16 of that Act is amended—

17 (A) by redesignating paragraphs (2) and
 18 (3) as paragraphs (3) and (4), respectively;

19 (B) by inserting after paragraph (1) the
 20 following new paragraph (2):

21 “(2)(A) As part of the budget justification documents
 22 submitted to Congress in support of the budget for the
 23 Department of Defense for fiscal year 2003, the Secretary
 24 shall include a force-structure plan for the Armed Forces
 25 based on the assessment of the Secretary in the quadren-

1 nial defense review under section 118 of title 10, United
 2 States Code, in 2001 of the probable threats to the na-
 3 tional security during the twenty-year period beginning
 4 with fiscal year 2003.

5 “(B) The Secretary may revise the force-structure
 6 plan submitted under subparagraph (A). If the Secretary
 7 revises the force-structure plan, the Secretary shall submit
 8 the revised force-structure plan to Congress as part of the
 9 budget justification documents submitted to Congress in
 10 support of the budget for the Department of Defense for
 11 fiscal year 2004.”; and

12 (C) in paragraph (3), as redesignated by
 13 subparagraph (A) of this paragraph—

14 (i) in the matter preceding subpara-
 15 graph (A), by striking “Such plan” and in-
 16 serting “Each force-structure plan under
 17 this subsection”; and

18 (ii) in subparagraph (A), by striking
 19 “referred to in paragraph (1)” and insert-
 20 ing “on which such force-structure plan is
 21 based”.

22 (2) SELECTION CRITERIA.—Section 2903(b) of
 23 that Act is amended—

24 (A) in paragraph (1), by inserting “and by
 25 no later than December 31, 2001, for purposes

of activities of the Commission under this part
in 2003,” after “December 31, 1990,”; and

(B) in paragraph (2)(A)—

(i) in the first sentence, by inserting
“and by no later than February 15, 2002,
for purposes of activities of the Commis-
sion under this part in 2003,” after “Feb-
ruary 15, 1991,”; and

(ii) in the second sentence, by insert-
ing “, or enacted on or before March 31,
2002, in the case of criteria published and
transmitted under the preceding sentence
in 2001” after “March 15, 1991”.

(3) DEPARTMENT OF DEFENSE RECOMMENDA-
TIONS.—Section 2903(c)(1) of that Act is amended
by striking “and March 1, 1995” and inserting
“March 1, 1995, and March 14, 2003”.

(4) COMMISSION REVIEW AND RECOMMENDA-
TIONS.—Section 2903(d) of that Act is amended—

(A) in paragraph (2)(A), by inserting “or
by no later than July 7 in the case of rec-
ommendations in 2003,” after “pursuant to
subsection (c),”;

1 (B) in paragraph (4), by inserting “or
 2 after July 7 in the case of recommendations in
 3 2003,” after “under this subsection,”; and

4 (C) in paragraph (5)(B), by inserting “or
 5 by no later than May 1 in the case of such rec-
 6 ommendations in 2003,” after “such rec-
 7 ommendations,”.

8 (5) REVIEW BY PRESIDENT.—Section 2903(e)
 9 of that Act is amended—

10 (A) in paragraph (1), by inserting “or by
 11 no later than July 22 in the case of rec-
 12 ommendations in 2003,” after “under sub-
 13 section (d),”;

14 (B) in the second sentence of paragraph
 15 (3), by inserting “or by no later than August
 16 18 in the case of 2003,” after “the year con-
 17 cerned,”; and

18 (C) in paragraph (5), by inserting “or by
 19 September 3 in the case of recommendations in
 20 2003,” after “under this part,”.

21 (c) RELATIONSHIP TO OTHER BASE CLOSURE AU-
 22 THORITY.—Section 2909(a) of that Act is amended by
 23 striking “December 31, 1995,” and inserting “December
 24 31, 2003,”.

1 **SEC. 2902. BASE CLOSURE ACCOUNT 2003.**

2 (a) ESTABLISHMENT.—The Defense Base Closure
3 and Realignment Act of 1990 (part A of title XXIX of
4 Public Law 101–510; 10 U.S.C. 2687 note) is amended
5 by inserting after section 2906 the following new section:

6 **“SEC. 2906A. BASE CLOSURE ACCOUNT 2003.**

7 “(a) IN GENERAL.—(1) There is hereby established
8 on the books of the Treasury an account to be known as
9 the ‘Department of Defense Base Closure Account 2003’
10 (in this section referred to as the ‘Account’). The Account
11 shall be administered by the Secretary as a single account.

12 “(2) There shall be deposited into the Account—

13 “(A) funds authorized for and appropriated to
14 the Account;

15 “(B) any funds that the Secretary may, subject
16 to approval in an appropriation Act, transfer to the
17 Account from funds appropriated to the Department
18 of Defense for any purpose, except that such funds
19 may be transferred only after the date on which the
20 Secretary transmits written notice of, and justifica-
21 tion for, such transfer to the congressional defense
22 committees; and

23 “(C) except as provided in subsection (d), pro-
24 ceeds received from the lease, transfer, or disposal of
25 any property at a military installation that is closed
26 or realigned under this part pursuant to a closure or

1 realignment the date of approval of which is after
2 September 30, 2003.

3 “(3) The Account shall be closed at the time and in
4 the manner provided for appropriation accounts under sec-
5 tion 1555 of title 31, United States Code. Unobligated
6 funds which remain in the Account upon closure shall be
7 held by the Secretary of the Treasury until transferred
8 by law after the congressional defense committees receive
9 the final report transmitted under subsection (c)(2).

10 “(b) USE OF FUNDS.—(1) The Secretary may use
11 the funds in the Account only for the purposes described
12 in section 2905 with respect to military installations the
13 date of approval of closure or realignment of which is after
14 September 30, 2003.

15 “(2) When a decision is made to use funds in the
16 Account to carry out a construction project under section
17 2905(a) and the cost of the project will exceed the max-
18 imum amount authorized by law for a minor military con-
19 struction project, the Secretary shall notify in writing the
20 congressional defense committees of the nature of, and
21 justification for, the project and the amount of expendi-
22 tures for such project. Any such construction project may
23 be carried out without regard to section 2802(a) of title
24 10, United States Code.

1 “(c) REPORTS.—(1)(A) No later than 60 days after
2 the end of each fiscal year in which the Secretary carries
3 out activities under this part using amounts in the Ac-
4 count, the Secretary shall transmit a report to the con-
5 gressional defense committees of the amount and nature
6 of the deposits into, and the expenditures from, the Ac-
7 count during such fiscal year and of the amount and na-
8 ture of other expenditures made pursuant to section
9 2905(a) during such fiscal year.

10 “(B) The report for a fiscal year shall include the
11 following:

12 “(i) The obligations and expenditures from the
13 Account during the fiscal year, identified by sub-
14 account, for each military department and Defense
15 Agency.

16 “(ii) The fiscal year in which appropriations for
17 such expenditures were made and the fiscal year in
18 which funds were obligated for such expenditures.

19 “(iii) Each military construction project for
20 which such obligations and expenditures were made,
21 identified by installation and project title.

22 “(iv) A description and explanation of the ex-
23 tent, if any, to which expenditures for military con-
24 struction projects for the fiscal year differed from
25 proposals for projects and funding levels that were

1 included in the justification transmitted to Congress
 2 under section 2907(1), or otherwise, for the funding
 3 proposals for the Account for such fiscal year, in-
 4 cluding an explanation of—

5 “(I) any failure to carry out military con-
 6 struction projects that were so proposed; and

7 “(II) any expenditures for military con-
 8 struction projects that were not so proposed.

9 “(2) No later than 60 days after the termination of
 10 the authority of the Secretary to carry out a closure or
 11 realignment under this part with respect to military instal-
 12 lations the date of approval of closure or realignment of
 13 which is after September 30, 2003, and no later than 60
 14 days after the closure of the Account under subsection
 15 (a)(3), the Secretary shall transmit to the congressional
 16 defense committees a report containing an accounting
 17 of—

18 “(A) all the funds deposited into and expended
 19 from the Account or otherwise expended under this
 20 part with respect to such installations; and

21 “(B) any amount remaining in the Account.

22 “(d) DISPOSAL OR TRANSFER OF COMMISSARY
 23 STORES AND PROPERTY PURCHASED WITH NON-
 24 APPROPRIATED FUNDS.—(1) If any real property or facil-
 25 ity acquired, constructed, or improved (in whole or in part)

1 with commissary store funds or nonappropriated funds is
 2 transferred or disposed of in connection with the closure
 3 or realignment of a military installation under this part
 4 the date of approval of closure or realignment of which
 5 is after September 30, 2003, a portion of the proceeds
 6 of the transfer or other disposal of property on that instal-
 7 lation shall be deposited in the reserve account established
 8 under section 204(b)(7)(C) of the Defense Authorization
 9 Amendments and Base Closure and Realignment Act (10
 10 U.S.C. 2687 note).

11 “(2) The amount so deposited shall be equal to the
 12 depreciated value of the investment made with such funds
 13 in the acquisition, construction, or improvement of that
 14 particular real property or facility. The depreciated value
 15 of the investment shall be computed in accordance with
 16 regulations prescribed by the Secretary of Defense.

17 “(3) The Secretary may use amounts in the account
 18 (in such an aggregate amount as is provided in advance
 19 in appropriation Acts) for the purpose of acquiring, con-
 20 structing, and improving—

21 “(A) commissary stores; and

22 “(B) real property and facilities for non-
 23 appropriated fund instrumentalities.

24 “(4) In this subsection, the terms ‘commissary store
 25 funds’, ‘nonappropriated funds’, and ‘nonappropriated

1 fund instrumentality’ shall have the meaning given those
2 terms in section 2906(d)(4).

3 “(e) ACCOUNT EXCLUSIVE SOURCE OF FUNDS FOR
4 ENVIRONMENTAL RESTORATION PROJECTS.—Except as
5 provided in section 2906(e) with respect to funds in the
6 Department of Defense Base Closure Account 1990 under
7 section 2906 and except for funds deposited into the Ac-
8 count under subsection (a), funds appropriated to the De-
9 partment of Defense may not be used for purposes de-
10 scribed in section 2905(a)(1)(C). The prohibition in this
11 subsection shall expire upon the closure of the Account
12 under subsection (a)(3).”.

13 (b) CONFORMING AMENDMENTS.—Section 2906 of
14 that Act is amended—

15 (1) in subsection (a)(2)(C), by inserting “the
16 date of approval of closure or realignment of which
17 is before September 30, 2003” after “under this
18 part”;

19 (2) in subsection (b)(1), by inserting “with re-
20 spect to military installations the date of approval of
21 closure or realignment of which is before September
22 30, 2003,” after “section 2905”;

23 (3) in subsection (c)(2)—

24 (A) in the matter preceding subparagraph

25 (A), by inserting “with respect to military in-

1 stallations the date of approval of closure or re-
 2 alignment of which is before September 30,
 3 2003,” after “under this part”; and

4 (B) in subparagraph (A), by inserting
 5 “with respect to such installations” after
 6 “under this part”;

7 (4) in subsection (d)(1), by inserting “the date
 8 of approval of closure or realignment of which is be-
 9 fore September 30, 2003” after “under this part”;
 10 and

11 (5) in subsection (e), by striking “Except for”
 12 and inserting “Except as provided in section
 13 2906A(e) with respect to funds in the Department
 14 of Defense Base Closure Account 2001 under sec-
 15 tion 2906A and except for”.

16 (c) CLERICAL AMENDMENT.—The section heading of
 17 section 2906 of that Act is amended to read as follows:
 18 **“SEC. 2906. BASE CLOSURE ACCOUNT 1990.”.**

19 **SEC. 2903. ADDITIONAL MODIFICATIONS OF BASE CLOSURE**
 20 **AUTHORITIES.**

21 (a) INCREASE IN MEMBERS OF COMMISSION.—Sec-
 22 tion 2902(c)(1)(A) of the Defense Base Closure and Re-
 23 alignment Act of 1990 (part A of title XXIX of Public
 24 Law 101–510; 10 U.S.C. 2867 note) is amended by strik-
 25 ing “eight members” and inserting “nine members”.

1 (b) SELECTION CRITERIA.—Section 2903(b) of that
 2 Act is amended by adding at the end the following new
 3 paragraphs:

4 “(3) The selection criteria shall ensure that military
 5 value is the primary consideration in the making of rec-
 6 ommendations for the closure or realignment of military
 7 installations under this part.

8 “(4) Any selection criteria proposed by the Secretary
 9 relating to the cost savings or return on investment from
 10 the proposed closure or realignment of a military installa-
 11 tion shall take into account the effect of the proposed clo-
 12 sure or realignment on the costs of any other Federal
 13 agency that may be required to assume responsibility for
 14 activities at the military installation.”.

15 (c) DEPARTMENT OF DEFENSE RECOMMENDATIONS
 16 TO COMMISSION.—Section 2903(c) of that Act is
 17 amended—

18 (1) by redesignating paragraphs (1), (2), (3),
 19 (4), (5), and (6) as paragraphs (2), (3), (4), (6),
 20 (7), and (8), respectively;

21 (2) by inserting before paragraph (2), as so re-
 22 designated, by the following new paragraph (1):

23 “(1) The Secretary shall carry out a comprehensive
 24 review of the military installations of the Department of
 25 Defense inside the United States based on the force-struc-

1 ture plan submitted under subsection (a)(2), and the final
 2 criteria transmitted under subsection (b)(2), in 2002. The
 3 review shall cover every type of facility or other infrastruc-
 4 ture operated by the Department of Defense.”;

5 (3) in paragraph (4), as so redesignated—

6 (A) by redesignating subparagraphs (B)
 7 and (C) as subparagraphs (C) and (D), respec-
 8 tively;

9 (B) by inserting after subparagraph (A)
 10 the following new subparagraph (B):

11 “(B) In considering military installations for closure
 12 or realignment under this part in any year after 2001,
 13 the Secretary shall consider the anticipated continuing
 14 need for and availability of military installations world-
 15 wide. In evaluating the need for military installations in-
 16 side the United States, the Secretary shall take into ac-
 17 count current restrictions on the use of military installa-
 18 tions outside the United States and the potential for fu-
 19 ture prohibitions or restrictions on the use of such military
 20 installations.”; and

21 (C) in subparagraph (D), as so redesign-
 22 ated, by striking “subparagraph (B)” and in-
 23 serting “subparagraph (C)”;

24 (4) by inserting after paragraph (4), as so re-
 25 designated, the following new paragraph (5):

1 “(5)(A) In making recommendations to the Commis-
 2 sion under this subsection in any year after 2001, the Sec-
 3 retary shall consider any notice received from a local gov-
 4 ernment in the vicinity of a military installation that the
 5 government would approve of the closure or realignment
 6 of the installation.

7 “(B) Notwithstanding the requirement in subpara-
 8 graph (A), the Secretary shall make the recommendations
 9 referred to in that subparagraph based on the force-struc-
 10 ture plan and final criteria otherwise applicable to such
 11 recommendations under this section.

12 “(C) The recommendations made by the Secretary
 13 under this subsection in any year after 2001 shall include
 14 a statement of the result of the consideration of any notice
 15 described in subparagraph (A) that is received with re-
 16 spect to an installation covered by such recommendations.
 17 The statement shall set forth the reasons for the result.”;
 18 and

19 (5) in paragraph (8), as so redesignated—

20 (A) in the first sentence, by striking
 21 “paragraph (5)(B)” and inserting “paragraph
 22 (7)(B)”;

23 (B) in the second sentence, by striking “24
 24 hours” and inserting “48 hours”.

1 (d) COMMISSION CHANGES IN RECOMMENDATIONS
 2 OF SECRETARY.—Section 2903(d)(2) of that Act is
 3 amended—

4 (1) in subparagraph (B), by striking “if” and
 5 inserting “only if”;

6 (2) in subparagraph (C)—

7 (A) in clause (iii), by striking “and” at the
 8 end;

9 (B) in clause (iv), by striking the period at
 10 the end and inserting “; and”; and

11 (C) by adding at the end the following new
 12 clause:

13 “(v) invites the Secretary to testify at a public
 14 hearing, or a closed hearing if classified information
 15 is involved, on the proposed change.”;

16 (3) by redesignating subparagraph (E) as sub-
 17 paragraph (F); and

18 (4) by inserting after subparagraph (D) the fol-
 19 lowing new subparagraph (E):

20 “(E) In the case of a change not described in sub-
 21 paragraph (D) in the recommendations made by the Sec-
 22 retary, the Commission may make the change only if the
 23 Commission—

24 “(i) makes the determination required by sub-
 25 paragraph (B);

1 “(ii) determines that the change is consistent
2 with the force-structure plan and final criteria re-
3 ferred to in subsection (c)(1); and

4 “(iii) invites the Secretary to testify at a public
5 hearing, or a closed hearing if classified information
6 is involved, on the proposed change.”.

7 (e) PRIVATIZATION IN PLACE.—Section 2904(a) of
8 that Act is amended—

9 (1) by redesignating paragraphs (3) and (4) as
10 paragraphs (4) and (5), respectively; and

11 (2) by inserting after paragraph (2) the fol-
12 lowing new paragraph (3):

13 “(3) carry out the privatization in place of a
14 military installation recommended for closure or re-
15 alignment by the Commission in each such report
16 after 2001 only if privatization in place is a method
17 of closure or realignment of the installation specified
18 in the recommendation of the Commission in such
19 report and is determined by the Commission to be
20 the most-cost effective method of implementation of
21 the recommendation;”.

22 (f) IMPLEMENTATION.—

23 (1) PAYMENT FOR CERTAIN SERVICES FOR
24 PROPERTY LEASED BACK BY THE UNITED

1 STATES.—Section 2905(b)(4)(E) of that Act is
2 amended—

3 (1) in clause (iii), by striking “A lease” and in-
4 serting “Except as provided in clause (v), a lease”;
5 and

6 (2) by adding at the end the following new
7 clause (v):

8 “(v)(I) Notwithstanding clause (iii), a lease under
9 clause (i) may require the United States to pay the rede-
10 velopment authority concerned, or the assignee of the re-
11 development authority, for facility services and common
12 area maintenance provided for the leased property by the
13 redevelopment authority or assignee, as the case may be.

14 “(II) The rate charged the United States for services
15 and maintenance provided by a redevelopment authority
16 or assignee under subclause (I) may not exceed the rate
17 charged non-Federal tenants leasing property at the in-
18 stallation for such services and maintenance.

19 “(III) For purposes of this clause, facility services
20 and common area maintenance shall not include municipal
21 services that the State or local government concerned is
22 required by law to provide without direct charge to land-
23 owners, or firefighting or security-guard functions.”.

1 (2) TRANSFERS IN CONNECTION WITH PAY-
 2 MENT OF ENVIRONMENTAL REMEDIATION.—Section
 3 2905(e) of that Act is amended—

4 (A) in paragraph (1)(B), by adding at the
 5 end the following new sentence: “The real prop-
 6 erty and facilities referred to in subparagraph
 7 (A) are also the real property and facilities lo-
 8 cated at an installation approved for closure or
 9 realignment under this part after 2001 that are
 10 available for purposes other than to assist the
 11 homeless.”;

12 (B) in paragraph (2)(A), by striking “to be
 13 paid by the recipient of the property or facili-
 14 ties” and inserting “otherwise to be paid by the
 15 Secretary with respect to the property or facili-
 16 ties”;

17 (C) by striking paragraph (6);

18 (D) by redesignating paragraphs (3), (4),
 19 and (5) as paragraphs (4), (5), (6), respec-
 20 tively; and

21 (E) by inserting after paragraph (2) the
 22 following new paragraph (3):

23 “(3) In the case of property or facilities covered by
 24 a certification under paragraph (2)(A), the Secretary may

1 pay the recipient of such property or facilities an amount
 2 equal to the lesser of—

3 “(A) the amount by which the costs incurred by
 4 the recipient of such property or facilities for all en-
 5 vironmental restoration, waste, management, and
 6 environmental compliance activities with respect to
 7 such property or facilities exceed the fair market
 8 value of such property or facilities as specified in
 9 such certification; or

10 “(B) the amount by which the costs (as deter-
 11 mined by the Secretary) that would otherwise have
 12 been incurred by the Secretary for such restoration,
 13 management, and activities with respect to such
 14 property or facilities exceed the fair market value of
 15 such property or facilities as so specified.”.

16 (3) SCOPE OF INDEMNIFICATION OF TRANS-
 17 FEREES IN CONNECTION WITH PAYMENT OF ENVI-
 18 RONMENTAL REMEDIATION.—Paragraph (6) of sec-
 19 tion 2905(e) of that Act, as redesignated by para-
 20 graph (1) of this subsection, is further amended by
 21 inserting before the period the following: “, except in
 22 the case of releases or threatened releases not dis-
 23 closed pursuant to paragraph (4)”.

1 **SEC. 2904. TECHNICAL AND CLARIFYING AMENDMENTS.**

2 (a) COMMENCEMENT OF PERIOD FOR NOTICE OF IN-
 3 TEREST IN PROPERTY FOR HOMELESS.—Section
 4 2905(b)(7)(D)(ii)(I) of the Defense Base Closure and Re-
 5 alignment Act of 1990 (part A of title XXIX of Public
 6 Law 101–510; 10 U.S.C. 2867 note) is amended by strik-
 7 ing “that date” and inserting “the date of publication of
 8 such determination in a newspaper of general circulation
 9 in the communities in the vicinity of the installation under
 10 subparagraph (B)(i)(IV)”.

11 (b) OTHER CLARIFYING AMENDMENTS.—(1) That
 12 Act is further amended by inserting “or realignment”
 13 after “closure” each place it appears in the following pro-
 14 visions:

15 (A) Section 2905(b)(3).

16 (B) Section 2905(b)(5).

17 (C) Section 2905(b)(7)(B)(iv).

18 (D) Section 2905(b)(7)(N).

19 (E) Section 2910(10)(B).

20 (2) That Act is further amended by inserting “or re-
 21 aligned” after “closed” each place it appears in the fol-
 22 lowing provisions:

23 (A) Section 2905(b)(3)(C)(ii).

24 (B) Section 2905(b)(3)(D).

25 (C) Section 2905(b)(3)(E).

26 (D) Section 2905(b)(4)(A).

1 (E) Section 2905(b)(5)(A).

2 (F) Section 2910(9).

3 (G) Section 2910(10).

4 (3) Section 2905(e)(1)(B) of that Act is amended by
 5 inserting “, or realigned or to be realigned,” after “closed
 6 or to be closed”.

7 **Subtitle B—Modification of 1988** 8 **Base Closure Law**

9 **SEC. 2911. PAYMENT FOR CERTAIN SERVICES PROVIDED BY** 10 **REDEVELOPMENT AUTHORITIES FOR PROP-** 11 **ERTY LEASED BACK BY THE UNITED STATES.**

12 Section 204(b)(4) of the Defense Authorization
 13 Amendments and Base Closure and Realignment Act of
 14 (Public Law 100–526; 10 U.S.C. 2687 note) is amended
 15 by adding at the end the following new subparagraph (J):

16 “(J)(i) The Secretary may transfer real property at
 17 an installation approved for closure or realignment under
 18 this title (including property at an installation approved
 19 for realignment which will be retained by the Department
 20 of Defense or another Federal agency after realignment)
 21 to the redevelopment authority for the installation if the
 22 redevelopment authority agrees to lease, directly upon
 23 transfer, one or more portions of the property transferred
 24 under this subparagraph to the Secretary or to the head
 25 of another department or agency of the Federal Govern-

1 ment. Subparagraph (B) shall apply to a transfer under
2 this subparagraph.

3 “(ii) A lease under clause (i) shall be for a term of
4 not to exceed 50 years, but may provide for options for
5 renewal or extension of the term by the department or
6 agency concerned.

7 “(iii) Except as provided in clause (v), a lease under
8 clause (i) may not require rental payments by the United
9 States.

10 “(iv) A lease under clause (i) shall include a provision
11 specifying that if the department or agency concerned
12 ceases requiring the use of the leased property before the
13 expiration of the term of the lease, the remainder of the
14 lease term may be satisfied by the same or another depart-
15 ment or agency of the Federal Government using the prop-
16 erty for a use similar to the use under the lease. Exercise
17 of the authority provided by this clause shall be made in
18 consultation with the redevelopment authority concerned.

19 “(v)(I) Notwithstanding clause (iii), a lease under
20 clause (i) may require the United States to pay the rede-
21 velopment authority concerned, or the assignee of the re-
22 development authority, for facility services and common
23 area maintenance provided for the leased property by the
24 redevelopment authority or assignee, as the case may be.

1 “(II) The rate charged the United States for services
2 and maintenance provided by a redevelopment authority
3 or assignee under subclause (I) may not exceed the rate
4 charged non-Federal tenants leasing property at the in-
5 stallation for such services and maintenance.

6 “(III) For purposes of this clause, facility services
7 and common area maintenance shall not include municipal
8 services that the State or local government concerned is
9 required by law to provide without direct charge to land-
10 owners, or firefighting or security-guard functions.”.

Passed the Senate October 2, 2001.

Attest:

Secretary.

107TH CONGRESS
1ST SESSION

S. 1418

AN ACT

To authorize appropriations for fiscal year 2002 for
military construction, and for other purposes.